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Union Calendar No. 624

99th Congress
2d Session

HOUSE OF REPRESENTATIVES

Report
99-1039

ANNUAL REPORT
FOR THE YEAR 1986

OF THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

NINETY-NINTH CONGRESS

SECOND SESSION

SCNAC-99-2-20

January 2, 1987.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

(99th Congress)

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Elliott A. Brown, *Minority Staff Director*
Deborah E. Bodlander, *Minority Professional Staff*
John S.V. Brown, *Metropolitan Police Detail*
Ulrich Dembowski, *GPO Detail*
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Union Calendar No. 624

99TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
99-1039

ANNUAL REPORT FOR THE YEAR 1986

JANUARY 2, 1987.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. RANGEL, from the Select Committee on Narcotics Abuse and Control, submitted the following

REPORT

COMMITTEE JURISDICTION, AUTHORITY, FUNDING, AND ORGANIZATION

INTRODUCTION

The House of Representatives in the 99th Congress[1] continued the mandate of the Select Committee on Narcotics Abuse and Control which was first enacted in the 94th Congress.[2] From its inception more than nine years ago, the Committee's primary mandate from the House has remained basically the same: "to conduct continuing oversight and review of the problems of narcotics, drug, and polydrug abuse and control." The Committee was first established by the House in 1976 and has been reconstituted by the 95th, 96th, 97th, 98th, and 99th Congresses.[3]

The Select Committee on Narcotics Abuse and Control is unique because it is the only congressional committee with the expertise and the broad responsibility and authority to examine the problems of drug abuse and drug trafficking prevention and control in their entirety. The issues involved are extremely complex and cut across a wide range of public policy concerns including law enforcement, the administration of criminal justice, health and health care delivery, environmental safety, education, international relations, national security, and government organization.

The Select Committee on Narcotics Abuse and Control possesses oversight, but no legislative jurisdiction. The Committee is both a fact-finding and coordinating body. Through its hearings and other activities, the Committee provides an overview of the drug abuse problem, focuses congressional and public attention on critical drug-related issues, and supports actions by the standing committees of the House with legislative jurisdiction for narcotics abuse and control. Although not empowered to report legislation, the Select Committee recommends legislative initiatives to the appropriate standing committees and assists their legislative efforts. To facilitate a coordinated approach to drug abuse issues by the House, the Select committee's membership includes representatives from nine standing committees with jurisdiction over various aspects of drug abuse prevention and control.

RECONSTITUTION OF THE SELECT COMMITTEE (H. RES. 22)

The text of House Resolution 22 providing for the continuation of the Select Committee on Narcotics Abuse and Control during the 99th Congress is reproduced on the following pages. The resolution passed by a vote of 310-94 on March 7, 1985.

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[1] H. Res. 22, 99th Congress adopted Mar. 7, 1985.

[2] H. Res. 1350, 94th Congress, adopted July 26, 1976.

[3] H. Res. 77, 95th Congress, adopted Jan. 11, 1977; H. Res. 3, 96th Congress, adopted Mar. 21, 1979; H. Res. 13, 97th Congress, adopted Feb. 25, 1981; H. Res. 49, 98th Congress, adopted Feb. 8, 1983.

H. Res. 22

Resolved, That there is hereby established in the House of Representatives a select committee to be known as the Select Committee on Narcotics Abuse and Control (hereinafter referred to as the "select committee").

FUNCTIONS

Sec. 2. The select committee shall not have legislative jurisdiction. The select committee shall have authority—

(1) to conduct continuing oversight and review of the problems of narcotics, drug, and polydrug abuse and control, including (but not limited to) the study and review of (A) the abuse and control of opium and its derivatives, other narcotic drugs, psychotropics, and other controlled substances, ad defined in the Comprehensive Drug Abuse Prevention and Control Act of 1970, and any such drug or substances when used in combination with any other substances; (B) domestic and international trafficking, manufacturing, and distribution; (C) treatment, prevention, and rehabilitation; (D) narcotics-related violations of the Internal Revenue Code of 1954; (E) international treaties and agreements relating to the control of narcotics and drug abuse; (F) the role of organized crime in narcotics and drug abuse; (G) problems of narcotics and drug abuse and control in the Armed Forces of the United States; (H) problems of narcotics and drug abuse and control in industry; and (I) the approach of the criminal justice system with respect to narcotics and drug law violations and crimes related to drug abuse;

(2) to review any recommendations made by the President, or by any department or agency of the executive branch of the Federal Government, relating to programs or policies affecting narcotics or drug abuse or control; and

(3) to recommend to the appropriate committees of the House legislation or other action the select committee considers necessary with respect to programs or policies affecting narcotics or drug abuse or control.

APPOINTMENT AND MEMBERSHIP

Sec. 3. (a) The select committee shall be composed of twenty-five Members of the House, who shall be appointed by the Speaker, one of whom he shall designate as chairman. At least one member of the select committee shall be chosen from each of the following committees of the House: The Committee on Agriculture, the Committee on Armed Services, the Committee on Government Operations, the Committee on Foreign Affairs, the Committee on Energy and Commerce, the Committee on the Judiciary, the Committee on Merchant Marine and Fisheries, the Committee on Veterans' Affairs, and the Committee on Ways and Means.

(b) Any vacancy occurring in the membership of the select committee shall be filled in the same manner in which the original appointment was made.

(c) For purposes of this section, the term "Members" shall mean any Representative in, or Delegate or Resident Commissioner to, the House of Representatives.

AUTHORITY AND PROCEDURES

Sec. 4. (a) For purposes of carrying out this resolution the select committee is authorized to sit and act during the present Congress as such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned, and to hold such hearings as it deems necessary.

(b) The provisions of clauses 1, 2, and 3 of rule XI of the Rules of the House of Representatives shall apply to the select committee.

ADMINISTRATIVE PROVISIONS

Sec. 5. (a) Subject to the adoption of expense resolutions as required by clause 5 of rule XI of the Rules of the House of Representatives, the select committee may incur expenses in connection with its duties under this resolution.

(b) In carrying out it functions under this resolution, the select committee is authorized—

(1) to appoint, either on a permanent basis or as experts or consultants, such staff as the select committee considers necessary;

(2) to prescribe the duties and responsibilities of such staff;

(3) to fix the compensation of such staff at a single per annum gross rate which does not exceed the highest rate of basic pay, as in effect from time to

time, of level V of the Executive Schedule in section 5316 of title 5, United States Code;

(4) to terminate the employment of any such staff as the select committee, considers appropriate; and

(5) to reimburse members of the select committee and of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties and responsibilities for the select committee, other than expenses in connection with any meeting of the select committee held in the District of Columbia.

REPORTS

Sec. 6. (a)(1) The select committee shall report to the House with respect to the results of any field investigation or inspection it conducts.

(2) The select committee shall submit an annual report to the House which shall include a summary of the activities of the select committee during the calendar year to which the report applies.

(3) The select committee shall report to the House its recommendations for a comprehensive program to control the worldwide problem of drug abuse and drug trafficking.

(b) Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

FUNDING OF THE SELECT COMMITTEE (H. RES. 368)

Funds for the operation of the Select Committee on Narcotics Abuse and Control during 1986 were provided in H. Res. 368, the omnibus measure authorizing amounts for expenses of investigations and studies by standing and select committees of the House in the second session of the 99th Congress. Approved February 5, 1986, the resolution included $602,410 for the Select Committee.

COMMITTEE RULES

On April 3, 1985, the Select Committee adopted the following rules for the 99th Congress;

Rules of the Select Committee on Narcotics Abuse and Control

RULE 1. GENERAL

The Rules of the House of Representatives, to the extent they apply, together with the following rules, shall be the rules of the Committee.

RULE 2. MEETINGS

(a) The regular meeting day of the Committee for the conduct of its business shall be on the second Thursday of each month while the Congress is in session.

(b) Additional meetings may be called by the Chairman and a regular meeting of the Committee may be dispensed with when, in the judgment of the Chairman, there is no need therefor.

(c) Special meetings may be convened as provided for by clause 2(c)(2) of Rule XI of the Rules of the House.

(d) At least 3 days (excluding Saturday, Sundays, and legal public holidays) before each scheduled Committee meeting, each member of the Committee shall be furnished a list of the subjects to be considered or acted upon at such meeting.

RULE 3. HEARINGS

(a) Members of the Committee shall be advised and a public announcement shall be made of the time, date, place, and subject matter of any hearing to be conducted by the Committee at least one week before the commencement of such hearing, unless the Chairman determines that there is good cause to begin such hearing at an earlier date, in which event the Chairman shall advise Committee members and make the public announcement at the earliest possible date. Any announcement made under this paragraph shall be promptly published in the Daily Digest and promptly entered into the committee scheduling service of the House Information Systems.

(b) Unless authorized by the Chairman, a witness shall not be permitted to testify or present evidence at a hearing of the Committee, and such testimony or evidence may not be included in the Committee hearing record, unless 50 copies thereof have been delivered to the Committee at least 48 hours prior to such hearing.

(c) A Committee member may question a witness only when recognised by the Chairman for such purpose. In accordance with clause 2(j)(2) of Rule XI of the Rules of the House, each Committee member shall be allowed 5 minutes to question a witness until each member who so desires has had such opportunity. The Chairman shall, insofar as practicable, recognize alternately on the basis of seniority those majority and minority members present at the time the hearing was called to order and others on the basis of their arrival at the hearing was called to order and others on the basis of their arrival at the hearing. Thereafter, additional time may be extended at the discretion of the Chairman.

(d) At any hearing the minority party members of the Committee shall be entitled, upon request to the Chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to the subject matter of such hearing during at least one day of hearing thereon.

(e)(1) The Chairman at an investigative hearing of the Commitee shall announce in the opening statement the subject of the investigation.

(2) A copy of the Rules of the Committee and clause 2 of Rule XI of the Rules of the House shall be made available to each witness.

(3) Witnesses at an investigative hearing may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The Chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearing; and the Committee may cite the offender to the House for contempt.

(f) Any witness may obtain a transcript copy of his or her testimony given at a public session or, if given at an executive session, when authorized by a majority of the members voting a majority being present.

RULE 4. COMMITTEE PROCEDURE

(a)(1) Unless otherwise required or permitted by these rules, one-third of the members of the Committee shall constitute a quorum for the transaction of Committee business. Any Committee member present at a Committee meeting may make a point of order that a quorum is not present, but a quorum shall be deemed present unless a member who is present objects.

(2) Two members shall constitute a quorum for the purposes of taking testimony and receiving evidence.

(b) Meetings for the transaction of business and hearings of the Committee shall be open to the public or closed in accordance with clauses 2(g)(1), 2(g)(2), or 2(k)(5) of Rule XI of the Rules of the House. No evidence of testimony taken in executive session may be released or used in public session unless authorized by a majority of members voting, a majority being present.

(c) A vote by any member of the Committee with respect to any matter being considered by the Committee may be cast by proxy if the proxy authorization is in writing, asserts that the member is absent on official business or is otherwise unable to be present at the meeting of the Committee, designates the member of the Committee who is to execute the proxy authorization, and is limited to specific matter and any amendments or motions pertaining thereto (except that a member may authorize a general proxy for motions to recess or adjourn, or for the other procedural matters). Each proxy to be effective shall be signed by the member assigning his vote and shall contain the date and time of day that the proxy is signed. No proxy may be counted for the purpose of constituting a quorum.

(d) Every motion made to the Committee and entertained by the Chairman shall be reduced to writing upon the demand of any member, and a copy made available to each member present.

(e) In the absence of the chairman at any meeting or hearing of the Committee, the ranking member of the majority party on the Committee who is present shall preside at such meeting or hearing.

(f) A complete record of all Committee action, including a record of all votes on any question on which a rollcall vote is demanded, shall be maintained by the Committee. The result of each such rollcall vote shall be available to the public for inspection at the offices of the Committee during normal, working hours.

(g) Any member of the Committee may demand and the Chairman shall order a rollcall vote on any matter considered by the Committee.

RULE 5. COMMITTEE REPORTS

(a)(1) Except as provided in paragraph (b), any Committee report shall be approved by a majority of the members voting at a meeting at which a majority is present.

(2) A proposal report shall not be considered in a Committee meeting unless a copy of the proposed report is provided to each member of the Committee at least 5 days (excluding Saturdays, Sundays, and legal public holidays) prior to the meeting.

(b) The Chairman is empowered to obtain the approval of any report in any appropriate manner, including by polling the members of the Committee in writing. In such cases, a copy of the proposed report shall be made available to each Committee member for at least 5 calendar days (excluding Saturdays, Sundays, and legal public holidays) and the approval of a majority of the Committee is required. The Chairman shall promptly notify Committee members in writing of the approval or disapproval of the proposed report.

(c) Supplement, minority, or additional views may be filed in accordance with clause 2(a)(5) of Rule XI of the Rules of the Houses. The time allowed for filing such views shall be 3 calendar days (excluding Saturdays, Sundays, and legal public holidays) after approval of a proposed report in a meeting of the Committee or after the Chairman issues a notification of approval pursuant to paragraph (b).

(d) If hearings have been held on the subject matter of the proposed report, every reasonable effort shall be made to have such hearings available to the members of the Committee before seeking approval of the proposed report.

RULE 6. POWERS AND DUTIES OF COMMITTEE

(a) For the purpose of carrying out any of its functions and duties, the Committee is authorized to sit and act at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned.

(b)(1) The Committee may require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, documents, and other exhibits and materials, as it deems necessary.

(2) A subpena may be authorized and issued by the Committee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present.

(3) Notwithstanding subparagraph (b)(2) of this rule, a subpena may be authorized and issued in the conduct of any investigation or series of investigations or activities by the Chairman upon the concurrence of the ranking minority member on the Committee.

(4) Authorized subpenas shall be signed by the Chairman or by any member designated by the Committees, and may be served by any person designated by the Chairman or such member.

(c) The Chairman, or any member of the Committee designated from time to time by him, shall report on the meetings, hearings or other activities of the Committee to any other committee of the House which has subject matter jurisdiction therein.

RULE 7. BROADCASTING

(a) Whenever any hearing or meeting conducted by the Committee is open to the public, the Committee may permit such hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photograph, or by any of such methods of coverage, under the rules established by paragraph (b) of the rule: Provided, however, that the Chairman shall determine, in his discretion, the number of television and still cameras permitted in a hearing or meeting room.

(b)(1) If television or radio coverage of any hearing or meeting of the Committee is to be presented to the public as live coverage, such coverage shall be conducted and presented without commercial sponsorship.

(2) No witness served with a subpena by the Committee shall be required against his or her will to be photographed at any hearing or meeting or to give evidence or testimony while the broadcasting of such hearing or meeting, by radio or television, is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off.

(3) The allocation among the television media of the positions of the number of television cameras permitted by the Chairman shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(4) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the Committee, or the visibility of such witness and such members to each other.

(5) Television cameras shall not be placed in positions which obstruct unnecessarily the coverage of the hearing or meeting by other media.

(6) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from the hearing or meeting room while the Committee is in session.

(7) Floodlights, spotlights, strobelights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing or meeting room without cost to the Government, in order to raise the ambient lighting level in the hearing or meeting room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the then current state of the art of television coverage.

(8) In the allocation of the number of still photographers permitted by the Chairman to cover a hearing or meeting, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If requests are made by more of the media than will be permitted by the Chairman, for coverage of a hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(9) Photographers shall not position themselves at any time during the course of the hearing or meeting between the witness table and the members of the Committee.

(10) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing or meeting by other media.

(11) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(12) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.

(13) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

RULE 8. AMENDMENT OF RULES

The Rules of the Committee may be modified, amended, or repealed, by a majority of the members voting at a meeting at which a majority is present. Written notice of any proposed change shall be provided to each member of the committee not less than 3 calendar days (excluding Saturdays, Sundays, and legal public holidays) before the meeting date on which such change is to be considered.

COMMITTEE MEMBERSHIP

The membership of the Select Committee on Narcotics Abuse and Control is listed on page II of this report. The Committee membership stands at 25 members pursuant to H. Res. 22, 99th Congress, the same number as served on the committee in the 98th Congress. In the 98th Congress, House Resolution 49 required that the membership of the select committee include at least one member from each of the following eight standing committees: Agriculture; Armed Services; Energy and Commerce; Foreign Affairs; Government Operations; Judiciary; Merchant Marine and Fisheries; and Ways and Means. House Resolution 22 requires that, in addition to members from these committees, a member from the Veterans' Affairs Committee also be appointed to the select committee. This change reflects an agreement reached during floor consideration of House Resolution 49 during the 98th Congress that a member from the Veterans' Affairs Committee should serve on the select committee. A member from the Veterans' Affairs Committee did serve on the select committee throughout the 98th Congress.

COMMITTEE STAFF

For the first two months of 1986, the Committee's staff consisted of 12 professional staff members and 5 staff assistants. For the remainder of the year, the Committee's average staff level consisted of 10 professional staff members and 4 staff assistants. The staff reductions were due to funding cuts required to comply with the Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177).

In addition, Customs and the Washington Metropolitan Police Department each detailed an employee to the Committee for the year to assist the Select Committee on long term research projects. During the summer months, student interns joined the staff and assisted the Select Committee in its work. The Select Committee's printing and editorial needs were handled by two detailees from the Government Printing Office. A complete list of the committee staff as of December 31, 1986, is listed on page II of this report.

AN OVERVIEW OF THE TRAFFIC AND ABUSE OF NARCOTIC AND PSYCHOTROPIC DRUGS IN 1986

During 1986, the Select Committee on Narcotics Abuse and Control continued its examination of Federal policies and programs to curtail the illicit production, manufacture and traffic of narcotic and psychotropic drugs and to prevent and treat drug abuse.

On the basis of its findings during 1985 and 1986, Chairman Rangel and Ranking Minority Member Gilman were joined by Committee members in sponsoring legislation designed to significantly increase Federal funding for enforcement to curtail the availability of narcotic and psychotropic drugs, to prevent drug abuse through education and provide treatment for those who need and want it.

This legislation became a major component of the Anti-Drug Abuse Act of 1986 signed by President Reagan on October 27 (P.L. 99-570). This Act authorized approximately $2.9 billion, $1.6 billion of which was new funding. The Congress in turn appropriated in a Continuing Resolution about $2.7 billion to implement the new law, $1.6 billion of which was new funding. This legislation will be addressed in detail further on in this report.

The swiftness and unanimity with which the Congress moved to enact this legislation came as the result of the recognition that by mid 1986 the levels of drug trafficking and abuse were increasing to such an extent that drug enforcement, education and treatment programs were insufficient to cope with the problem and were continuing to lose ground.

The new legislation enhances the State Department's ability to persuade and assist the drug producing nations to suppress illicit narcotic and psychotropic drug production and trafficking. It substantially increases the resources and capability of the Coast Guard, Customs and DEA to defend the nation from drug smugglers now flagrantly penetrating our territory by land, sea and air. It increases the resources of DEA to cooperate with counterparts abroad to suppress the illicit traffic affecting the United States. It enhances the DEA's ability to increase and intensify the national drug enforcement effort on its own and in concert with other responsible Federal agencies and in close and coordinated cooperation with state and local drug enforcement and criminal justice authorities. It will make possible for the first time funding to ensure the nation's children and youth from kindergarten through college will be given the best education possible to develop an understanding of the dangers of illicit drug use and a predisposition to resist invitations to try or to experiment with drugs. It will provide treatment for victims of drug abuse who need and want it.

In 1986, the drug trafficking industry in the United States continued to expand to an estimated $130 billion a year business.

This underground economy spawns crime, violence and corruption; threatens legitimate business; diminshed industrial productivity and creates a serious drain on our national economy.

In addition to human suffering, estimates of the social and economic costs of drug abuse prevention, treatment, related crime, violence, death, property destruction, lost productivity and drug enforcement will total an additional $100 billion.

Drug abuse which has been a serious health problem in the United States for two decades is now a major national public health threat by virtue of the magnitude of the population using cocaine, heroin and marijuana and a variety of other narcotic and psychotropic depressants, stimulants and hallucinogens. This public health menace is now dramatically increased by intravenous drug users, particularly heroin addicts, who have a very high rate of contracting and spreading the Acquired Immune Deficiency Syndrome, known as AIDS.

Available indicators of drug abuse indicate a national problem that continues to grow worse. A 1985 survey of Americans age 12 and above, conducted by the National Institute on Drug Abuse, reports that 70.4 million or 37 percent of that population have tried marijuana, cocaine, or other illicit drugs at least once in their lifetime; 36.8 million or 19 percent have done so in the last year; and 23 million or 12 percent of the population over age 12 report having tried illicit drugs at least once during the month prior to being surveyed.

Among employed 20 to 40 year olds, according to the National Household Survey, 29 percent reported use of an illicit drug in the past year. Nineteen percent reported some illicit drug use at least once in the past month.

It is estimated that there are 600,000 active heroin addicts in the United States. Their number has been growing on an annual basis since 1979 as supplies in the way of quantity and quality of the drug has gradually increased.

About 25 million people are reported to use marijuana regularly in the United States and an additional 15 million may use it occasionally. As many as 62 million may have tried it at least once. An estimated 30 million are occasional users of cocaine in this country with an estimated 700,000 to 1,400,000 addicted to the substance. Estimates of the number of regular users of cocaine in 1986 range from 6 to 8 million compared to 4.2 in 1982.

The results of the 1984 survey which reported that 5,000 people in the United States try cocaine for the first time each day continues to be valid. On the basis of increased availability of cocaine at lower or stable prices, the estimate of 5,000 new experimenters with cocaine every day may be conservative.

The latest annual survey of high school students, conducted by the University of Michigan for NIDA, reports that in 1985, almost two-thirds of high school seniors had used illicit drugs. Most alarming is the fact that the prevalence rate for cocaine use had reached 17 percent among high school seniors.

There is great concern that many high school seniors will go on to use cocaine in the coming years based on records of past classes according to NIDA. For example, while only 10 percent of the class of 1976 had tried cocaine by their senior year, 40 percent of this group had tried it by the time they reached age 27. College students showed a similar rate of cocaine use. Their overall rate of drug use was reported to be 46 percent.

In addition to the use of marijuana, cocaine and heroin, the abuse of psychotropics, PCP, amphetamine, methamphetamine and LSD during 1985 and 1986 appears to have stabilized at a very high level. An estimated 7 million people abused the various forms of stimulants, depressants and hallucinogenic forms of psychotropic substances during 1986.

The dramatic decline in the abuse of methaqualone, first noted in 1984, continued during 1985 and 1986. This depressant form of psychotropic substance had been widely available and heavily abused for more than a decade. A prohibition on its legal manufacture in the United States and diplomatic initiatives abroad that persuaded the People's Republic of China and Hungary to strengthen their controls over the legal export of the chemical precursors to countries where methaqualone was being clandestinely formulated for trafficking to the United States was responsible for virtually eliminating the availability and abuse of methaqualone in this country. In 1983 methaqualone was number seven in the number of drug overdose fatalities and number six in the number of non-fatal hospital emergency treatment episodes.

Notwithstanding this clear evidence that the dramatic curtailment of availability of a drug creates a dramatic curtailment in the abuse of that drug, during 1986, many Federal State and local officials charged with the responsibility to limit the availability of illicit drugs have continued to make statements that success in reducing drug abuse will only come by reducing the demand for drugs. Simultaneously, officials, practitioners and experts in the fields of drug abuse prevention and treatment have continued to state that it is extremely difficult to successfully prevent and treat drug abuse when the drugs of abuse are increasingly available, are of higher quality and offered at stable or lower prices.

In September 1984, the White House issued the 1984 National Strategy for Prevention of Drug Abuse and Drug Trafficking. It was essentially similar to a strategy document issued in October 1982. Both documents promulgated a strategy that would bring the traffic and abuse of narcotics and psychotropic substances in the United States under control through the application of the classic principles of narcotics control. This included international cooperation to control the illicit production and traffic of narcotic and psychotropic drugs abroad affecting the United States, drug interdiction and enforcement at home along with drug abuse education, prevention and treatment programs.

In a departure from prior strategy documents, where the elements of the Federal narcotic strategy were of relatively equal importance, the 1984 strategy makes drug abuse prevention and education the foremost objective in our nation's drug abuse control effort.

Up until now, society's efforts to prevent man from using narcotic and psychotropic drugs, except for medical purposes, has been to prevent the availability of the drug to the would-be user. Recognizing that this could never be perfect, warnings and information on the dangers of the non-medical use of narcotics and phychotropics have been traditionally promulgated by society in the hope of preventing people from experimenting with and falling victim to drug abuse. Medical science as well as governments and the international narcotics control conventions have long recognized that those falling victim to dependence on narcotic and psychotropic drugs required treatment and therapy.

In the concerted international effort to bring drug abuse to acceptable levels since 1909, success has only come when supply over both short and long periods of time was substantially reduced. Nowhere can it be demonstrated than when narcotic and psychotropic drugs where easily accessible that education and information programs alone halted the spread of drug abuse. In an environment where there is a proliferation of illicit drug availability, epidemic drug abuse follows commensurate with availability. Drug abuse education will save some or many from falling victim to this phenomenon. Unfortunately there are far too many individuals in any society that reject the education and information programs designed to prevent drug abuse.

Medical doctors and nurses who possess the highest levels of education and knowledge of the dangers of non-medical drug use have a higher rate of drug abuse than any other profession. Drug experts claim they fall victim to the easy access to narcotic and psychotropic drugs in their work.

The victims of drug abuse either through ignorance or arrogance tend to underestimate the inherent dependence-producing properties of the illicit drug with which they are experimenting and to overestimate their own human ability to control the use of a dependence producing drug.

This human failing has proven to be universal. When drugs are available, they will be used; the more they are available, the more they will be used.

We as a nation have been failing to reduce the availability of all the illicit narcotic and psychotropic drugs being consumed in the United States, and in fact on an annual basis, with the exception of methaqualone, they all have significantly increased in availability since 1979. Simultaneously our efforts to prevent and treat drug abuse have during the same period of time failed to prevent a steady increase in the number of the abusers of the widely available narcotic and psychotropic drugs across the nation.

This Committee supports the strategy goals of the Administration to simultaneously curtail the supply of illicit drugs and reduce demand through drug abuse prevention and treatment programs. This strategy is tried and proven and has brought short and long term successes in the past. It is not now working because up until now the funding, manpower, resources and priority assigned to it have been dramatically outpaced by an unprecedented volume of narcotic and psychotropic drug production and traffic originating at home and abroad providing an unlimited supply of drugs that continued to create and sustain increasing levels of drug abuse dependence and addition. Hopefully the Anti-Drug Abuse Act of 1986 will begin to turn this situation around.

In 1984, $1.43 billion was appropriated for overall drug law enforcement by the Federal government; in 1985, approximately $1.65 billion; and for 1986, an estimated $1.7 billion. During this same period of time the dollar value of drug trafficking in the United States increased at an estimated rate of $10 billion per year as the quantities of cocaine, heroin, and marijuana smuggled from abroad increased, as did domestic marijuana production and the illicit manufacture and traffic of psychotropic drugs within the country.

Funding provided for all health related drug abuse prevention and treatment programs over a period of time when illicit drug availability was rising was woefully inadequate to educate and warn our children, youth and all citizens of the dangers of illicit drug usage and treat victims at about $355 million in 1984; $400 million in 1985; and $400 million in 1986. For 1986, the Department of Education with a budget of $18 billion allocated only $3 million for drug abuse education. The bulk of the health-related drug abuse program was assigned to treatment and rehabilitation totaling about $186 million in 1984; $203 million in 1985; and $200 million in 1986. For the same years, prevention and education programs were assigned about $43 million in 1984; $46 million in 1985; and $46 million in 1986.

INTERNATIONAL CONTROL EFFORTS

During 1986, on the basis of its oversight investigation of the production and traffic abroad of coca and cocaine. opium and marijuana, this Committee found that our foreign policy and diplomatic efforts are failing to persuade the major drug producing nations with our financial and technical support to assume their obligation under the Single Convention on Narcotic Drugs of 1961 to eradicate illicit narcotic production and effectively suppress trafficking. During 1986, all indicators and evidence pointed to a continuing and dramatic increase in the illicit production and traffic of coca and cocaine affecting the United States from South America.

There is ample evidence that illicit opium production in 1986 sharply increased in a number of major producing countries. There is convincing evidence of a sharp increase in the illicit manufacture and traffic of heroin affecting the United States and most industrialized nations.

Reports of significant marijuana eradication in Colombia and Jamaica in 1985 have not yet brought a significant reduction in supply from these sources. Eradication efforts in Belize reduced trafficking from that country. Marijuana production and trafficking from Mexico reportedly increased following a trend that surfaced in 1984 after many years of successful eradication. Guatemala became a new, albeit small, producer for international trafficking.

This uncontrolled illicit production of narcotic drugs abroad will continue unless the United States in concert with its allies, all friendly countries and the United Nations, comes to a mutual understanding with all the major illicit producer countries on the extent of their problem and what they are required to do under the Single Covention on Narcotic Drugs to bring the production under control. A way must be found to convince and assist the producer countries to overcome the hard political realities of eliminating or eradicating as necessary the enormous and expanding illicit cultivation of coca, opium and marijuana which is creating and sustaining the current worldwide drug problem.

Up until now with the major source countries now affecting the United States, our failure has been due to our reluctance to make compliance with the narcotic control obligations of the Single Convention a sufficiently high priority in our relationship with them to cause the necessary corrective action to be taken.

The cost in U.S. and other international donor assistance to help the producer nations implement narcotic control measures would be modest.

This Committee is ready to support an increase in State Department funds for illicit narcotic crop elimination programs whenever such programs can be negotiated by the State Department.

INTERDICTION

Confronted with a rising level of marijuana and cocaine smuggling by vessels and aircraft penetrating our coast line and southern border, we have not provided the Coast Guard or the Customs Service with sufficient patrol vessels and aircraft, radar and other equipment, manpower and operating funds to effectively defend the nation against narcotic smuggling. The Drug Enforcement Administration has not been provided adequate manpower, equipment and funding to develop sufficient drug smuggling intelligence and investigations to enable the Coast Guard and Customs to be more effective in interdicting drug shipments.

DRUG ENFORCEMENT

The inability to prevent the bulk of the narcotic smuggling directed at the United States in concert with the Coast Guard and Customs leaves DEA with the Federal responsibility to suppress the enormous organized interstate traffic of cocaine, heroin and marijuana entering the country. DEA simply has not had the manpower and operating resources to effectively perform its anti-smuggling and narcotic enforcement role effectively. It concentrates on the most important violators and organizations. As a result, great numbers of important traffickers can avoid arrest and prosecution and an availability of drugs blankets the nation. The Administration's attempt to enhance drug enforcement resources by giving the

FBI concurrent narcotics jurisdiction in 1982 has had no impact on reducing the supply of illicit drugs in our country.

Even by concentrating on the major violators there are complaints that there are some instances where there are too few Federal prosecutors and judges to handle that caseload. Notwithstanding effective work by the Coast Guard, Customs and DEA man for man and unit for unit, collectively their rate of drug seizures, arrest and convictions is insufficient to meaningfully reduce the availability of drugs and immobilize sufficient numbers of traffickers to have impact on the problem. This is because each year since 1979 the volume of cocaine and heroin and marijuana directed at the United States has substantially increased while enforcement has not kept pace.

THE MILITARY ROLE IN DRUG INTERDICTION

Regrettably, while the Congress in 1981 authorized military support to the drug enforcement agencies to suppress smuggling and expanded that authority in 1985, the assistance provided, while helpful, has not had an impact in reducing the problem. This is because the national defense need for constant military readiness prevents the military from dedicating the level of resources that could impact on smuggling prevention.

STATE AND LOCAL EFFORTS

The inability of the Federal Government to prevent the entry and distribution of marijuana, cocaine and heroin nationwide has created a drug trafficking and abuse problem of such proliferation and volume that it overwhelms the state and local criminal justice and drug abuse prevention and treatment systems. It is in our local communities where the degradation and destructiveness of chronic drug abuse with its crime and violence takes its human toll. State and local police, narcotics enforcement services, prosecuting attorneys, courts and judges and prison systems lack the personnel, facilities, equipment and funding to effectively suppress the wholesale and retail drug trafficking and related crime infecting their jurisdictions. In this environment drug abuse flourishes.

With the exception of some modest support funding from DEA for joint task force operations where local forces support the Federal effort, the burden of protecting our communities from the ravages of drug trafficking is left to the state and local governments.

From 1984 through 1986 the Federal Government has made available an average of $115 to $120 million for state and local drug abuse prevention, education and treatment. This level of funding is about 40 percent less than what was provided in 1980. Hearings during 1986 brought complaints by state authorities that these cuts in Federal drug abuse assistance have hampered their efforts to prevent and treat drug abuse. They state that cuts have come at a time when drug availability and use has been on the rise; that treatment facilities are operating over capacity and there are long waiting lists for people seeking treatment.

In 1982, the role of the National Institute on Drug Abuse (NIDA) in providing funding for drug abuse prevention and treatment to the States through "categorical grants" was eliminated. This system provided funds for specific programs that met and conformed to guidelines and standards set by the Federal Government. Historically dating back to the 1930's the Federal Government pioneered programs for the prevention and treatment of drug abuse and conducted research into the causes and treatment of drug abuse. Through the categorical grant system and its depth of research and technical expertise, the Federal Government through NIDA set the direction of drug abuse prevention and treatment programs and maintained an active leadership role. The Federal "block grant" system established in 1982 provided lump sum funds to the states to be used for prevention and treatment programs at the states' discretion. NIDA became basically a research agency, and while it may not have been intended, the Federal Government's role in setting direction and providing leadership on drug abuse prevention and treatment has withered.

In addition to complaints the Committee receives from prevention and treatment professionals of the insufficient funding provided to the states by the Federal Government to prevent and treat drug abuse, there are complaints that the Federal Government is failing to recognize the enormity of the national public health problem posed by drug abuse. They contend a lack of policy direction and leadership has failed to effectively mobilize the country in a united Federal, State and local effort to effectively prevent drug abuse and treat all the unfortunate victims that seek treatment.

The lack of a well organized and administered Federal program in concert with State and local authorities across the nation to prevent and treat drug abuse does not square with repeated statements by the Administration of the need to reduce the demand for drugs and to take the customer away from the seller.

The treatment of drug abusers is a major component of demand reduction. Since drug abuse spreads from person to person like an infectious disease, drug abusers in treatment not only and their own use of drugs, but they are also prevented from infecting other susceptible individuals.

Professionals involved in drug abuse education programs regard them as imperative for the years kindergarten through high school (K through 12). This is regarded as the most reliable way to ensure that children and adolescents are provided the best education possible to develop an understanding of the dangers of illicit drug use and a predisposition to resist invitations to try or experiment with drugs. There is a consensus that not only should the Federal Government encourage the States to establish drug education programs (K through 12), but that the Federal Government is the only entity that can provide the coordination and research needed in such a program.

This Committee is concerned with the spate of drug abuse education activity of late by Federal, State and local narcotics enforcement officers appearing in primary and secondary school classrooms to lecture on the dangers of drug abuse. If this is to focus recognition on the lack of effective school-based drug abuse education programs, the Committee supports this activity. However, a solution to the hit or miss educational approach to date cannot be brought about by drug enforcement personnel replacing professional teachers in drug abuse education. Effective drug abuse education

K through 12 can only be delivered by professional teachers utilizing well planned and structured curricula. The teachers' work can be enhanced by periodic guest speakers such as drug enforcement personnel, sports figures, medical professionals and former abusers to speak out against trying illicit drugs.

Given the magnitude of illicit drug trafficking, diverting professional drug enforcement officers from their supply reduction function to provide drug abuse education in place of teachers is misguided. Given the current drug epidemic we need teachers as competent and well trained to teach drug abuse prevention courses as they are to teach the basic academics. The school environment is where drug abuse education can best be provided. Illicit drug availability and use is so pervasive today the subject is likely to come up and invite discussion in a variety of courses. This creates a need for all teachers to be trained to intelligently respond to the issue whenever and wherever it arises.

There is a need now for the President to lead his Administration in a reaffirmation of the historic commitment of the United States to bring narcotic and psychotropic drug availability to the irreducible minimum and to educate and inform our people as to the dangers of illicit drug use and to humanely ensure the availability of treatment to the unfortunate victims who seek help.

TRENDS IN THE TRAFFIC AND ABUSE OF NARCOTIC AND PSYCHOTROPIC DRUGS

Cocaine

For 1984, it is estimated that 104 tons of cocaine were consumed in the United States which with the 11.7 tons seized, means about 115.7 tons of cocaine were directed at this country in 1984.

For 1985, it is estimated that about 125 tons of cocain were consumed in the United States which with the 18 tons seized, indicates that about 143 tons of cocaine were directed at this country in 1985.

For 1986, it is estimated that about 150 tons of cocaine will be consumed in the United States and with the 28 tons seized, indicates that about 178 tons of cocaine were directed at the United States.

One indication of the increasing quantities of cocaine directed at the United States was a case completed by DEA and Customs authorities at Palm Beach, Florida, where on October 31, 1986, two (2) metric tons of cocaine were seized concealed in a furniture shipment and a few days later an additional ton was seized as part of the same shipment. The first seizure of two tons was the largest cocaine seizure of record in the United States.

Another example of the dimension and persistence of the cocaine traffic directed at the United States came to light on December 8, 1986, when the DEA with New York City and State Police authorities charged 24 defendants with a conspiracy to smuggle cocaine. The group smuggled 100 kilos of cocaine per month from Colombia for 10 years. That amounts to 1.2 tons per year or a grand total of 12 tons during the life of the operation. The cocaine was first taken from Colombia to a Caribbean island where cruise ship passengers used as couriers would pick it up for smuggling through Customs inspection and control systems upon their return to Miami and Fort Lauderdale, Florida.

The National Institute on Drug Abuse (NIDA) reports that cocaine is one of the most powerfully addictive drugs. In laboratory studies animals given free access to cocaine will take it to the point of death, selecting cocaine in preference to food and water. Treatment professionals estimate that approximately 10 percent of the people who use the drug "recreationally" will go on to serious, heavy use, and an individual cannot predict or control the extent to which he or she will use the drug.

It exerts its effect by acting directly on the reward or pleasure controls of the brain. This brain action produces an intense desire to experience the effects of cocaine again and again and accounts for development of compulsive use beyond the control of the user.

A dangerous new development in the cocaine epidemic is the sale of cocaine freebase in ready to smoke rock or chunk form, making this highly addictive formulation of the drug available to more people, particularly adolescents. The freebase known as "crack" is sold in small plastic vials usually containing 3 pieces or rocks weighing a total of one quarter gram and selling for about $20.00.

Utilizing ether or baking soda the cocaine alkaloid is extracted from, or freed, from its hydrochloride salt thus providing the user with a purer, more potent version of the cocaine. It also has a lower volatility than cocaine hydrochloride and can be smoked, while cocaine hydrochloride cannot. Smoking cocaine freebase is dramatically more potent to the user because it is purer to begin with and smoking delivers more rapidly a more powerful level of the alkaloid to the blood stream via the lungs than snorting cocaine. The use of "crack," particularly by young people, including high school and college students, is an epidemic in Los Angeles, Miami and New York City.

In the New York City area it is estimated by treatment professionals that from 5 to 10 percent of regular or addicted users of cocaine are now using heroin in combination with cocaine to tone down the adverse over-stimulation cocaine can cause with regular use. Some of these individuals become addicted to heroin.

In the 1983 the NIDA-sponsored Drug Abuse Warning Network (DAWN) reported 280 cocaine abuse deaths; in 1984, 604; and in 1985, 643. In 1983, cocaine abuse resulted in 6,843 hospital emergency episodes; in 1984, 10,996; and in 1985, 13,501.

Preliminary DAWN data for 1986 indicate not only an increase in cocaine-related emergency room admission and deaths, but an increase in the proportion of cases where cocaine was smoked. This would suggest the use of "crack."

As of May 1986, there were 3,239 cocaine-related emergency room episodes. In 471 or 14.5 percent of these cases, the means by which the cocaine was taken was smoking. This compares to 6,047 cocaine cases for all of 1983, when only 2 percent of the cases were attributable to cocaine that had been smoked.

The chart below provides a city-by-city breakdown of 1986 cocaine emergency room episodes as of May 1986.

COCAINE EMERGENCY ROOM EPISODES REPORTING SMOKING FOR 26 METROPOLITAN AREAS

	1st Quarter 1986		
	Total cocaine	Number smoking	Percent smoking
Los Angeles	363	124	34.2
Miami	269	76	28.3
Detroit	348	92	26.4
Indianapolis	5	1	20.0
Minneapolis	20	3	15.0
San Diego	42	6	14.3
New York	674	73	10.8
Cleveland	19	2	10.5
Denver	60	6	10.0
Chicago	239	24	10.0
Oklahoma City	10	1	10.0
Seattle	87	7	8.1
Kansas City	25	2	8.0
Phoenix	53	4	7.6
Philadelphia	243	18	7.4
Atlanta	44	3	6.8
Boston	63	4	6.4
San Francisco	77	4	5.2
New Orleans	78	4	5.1
District of Columbia	228	10	4.4
Dallas	83	3	3.6
Baltimore	43	0	0.0
Buffalo	16	0	0.0
San Antonio	9	9	0.0
Norfolk	12	0	0.0
St. Louis	16	0	0.0
Total SMSA	3,239	471	14.5

Source: NIDA, DAWN ER consistent panel; data file ending May 1986.

In New York City, the number of cocaine-related emergencies increased 33 percent between 1983 and 1984, from 2,343 to 3,102. In the third quarter of 1985, cocaine emergencies surpassed heroin emergencies for the first time.

All of the estimated 150 tons of cocaine, coca base and paste directed at the United States in 1985 with rare exception originated as raw material or in its final form in Peru, Bolivia and Colombia. There is still no commitment by any of those countries to comply with the requirements of the Single Convention on Narcotic Drugs to limit coca production to legal requirements, to license and control that production, and to phase out all other production, eradicating where necessary. Quite to the contrary, coca leaf, coca paste and base and cocaine production is still increasing in all three countries.

Beginning in 1984, evidence was uncovered of efforts by individuals to develop significant coca production in Ecuador, Brazil, Panama and Argentina. The authorities during 1985 made progress in eradicating this production but much more remains to be done, and they need U.S. technical and financial support to prevent their countries from becoming important illicit producers of coca and cocaine.

In 1984 this Committee reported on the emergence of clandestine cocaine laboratories in the United States: 6 seized in 1982; 10 in 1983; and 21 in 1984. In 1985 32 such labs were seized and 21 in 1986. The Committee has learned that the reasons given for the establishing of cocaine manufacturing labratories in the United States are: (1) the glut of coca paste in Peru, Bolivia and Colombia since 1982 has resulted in it being offered for sale at very low prices; (2) the chemicals needed to convert coca paste or base to cocaine hydrochloride are easier to obtain in the United States and are far less expensive than in the producer countries; (3) the vastness of the United States enables operators to conceal their laboratories more easily than in South America and they do not have to pay off the police or insurgent groups to operate.

Heroin

From mid-1972 through mid-1974 heroin addiction in the United States was dramatically curtailed with the demise of the Turkish-French connection. From mid-1974 through much of 1976 heroin supplies from Mexico increased, causing a rise in addiction.

The aerial spraying of poppy in Mexico by mid-1976 through 1979 brought about a decrease in the availability and abuse of heroin. By 1979 supplies from Southwest Asia, mostly Pakistan erupted. Lesser quantities of heroin from Mexico and Southeast Asia remained steady, and a sharply escalating trend in the traffic and abuse of heroin has continued since then.

There is a consensus by analysis that heroin availability and abuse has risen steadily since 1979. For 1984 in its Annual Report, released on January 3, 1985, the Select Committee reported 500,000 active heroin addicts and users in the United States and the availability of 10 tons of heroin to sustain that number of addicts.

For 1985, it is estimated that there were 550,000 active heroin addicts and users in the United States and that 11 tons of heroin were available to create and sustain this pattern of use.

For 1986, it is estimated that there were 600,000 active heroin addicts and users in the United States and that 12 tons of heroin were available to create and sustain this pattern of use.

In 1983 the Select Committee reported 12,456 heroin hospital emergency overdose episodes and 1,188 deaths; for 1984, 13,355 hospital emergency overdose episodes and 1,499 deaths were reported to the Committee.

For 1985, 14,696 heroin hospital overdose emergency episodes and 1,768 deaths were reported to the Committee.

Mentions of heroin show increasing trends in the overall DAWN data, National Panel, in 13 metropolitan areas. These increases accounted for the growth in heroin mentions across the entire DAWN system. Areas of increase were: Baltimore, Chicago, Dallas, Denver, Los Angeles, Miami, Phoenix, St. Louis, San Antonio, San Diego, San Francisco, Seattle, and Washington, D.C.

Intravenous heroin use, in addition to the deaths it causes through overdose, has traditionally caused a high rate of death from illnesses and accidents related to its use. In 1984 the deaths in the City of New York directly attributed to heroin overdoses amounted to 32 percent of the total number of intravenous heroin users who died. The other causes were AIDS, 26 percent; pneumonia, 15 percent; alcohol, 9 percent; all other causes, 18 percent.

In New York City for the year 1985, deaths were reported as due primarily to intravenous heroin use. Overall deaths among intravenous heroin users were over 1,500 and have never been higher.

Deaths came as result of AIDS, pneumonia, endocarditis, tuberculosis and alcohol related causes.

AIDS and IV drug users

AIDS (Acquired Immunodeficiency Syndrome) is, perhaps, the most terrifying disease of the twentieth century. There is no known treatment for this disease, which destroys the body's immune system. Today, a diagnosis of AIDS means certain death. Patients have a relatively short life expectancy, with approximately 80 percent dying within two years of diagnosis.

The New York State Division of Substance Abuse Services continues to report that in New York City, intravenous drug use has become a major risk factor in the spread of AIDS, especially when hypodermic needles are shared. Given the fact that the vast majority of heroin addicts use the drug intravenously, many of whom share needles, those individuals are at high risk of contracting AIDS. Of the 6,325 AIDS cases reported in New York City as of April 1986, 2,193 or 35 percent, involved intravenous drug users.

Needle sharing by intravenous drug users is the second most common means of transmission of the AIDS virus (HTLV-III/LAV). Drug users may be especially susceptible to the virus because of the suppressive effects of some abused drugs on the immune system.

In the past few years the number of reported AIDS cases among intravenous drug users has been increasing in New York City. Comparing 1984 with 1985, the number of cases increased 61 percent from 522 to 842. More than half of all the AIDS patients in New York City have succumbed to the disease.

In contrast to the rest of the nation, intravenous drug use has had a profound impact on the AIDS situation in New York City. For instance, of pediatric cases of AIDS, 74 percent of the children who have AIDS in New York City have at least one parent who is an intravenous drug user in contrast to 31 percent for the rest of the country.

Deaths due to AIDS among intravenous drug users in New York City have increased significantly over the past few years: 88 in 1983; 293 in 1984; and 488 in 1985. The incidence of AIDS is increasing throughout New York State, especially in the suburban counties and the more urban centers, and the increasing numbers are roughtly in the ratio of one case for every 10 in New York City. Very much like the City, about 33 percent of the AIDS victims in the rest of the State have been intravenous drug users. In addition, there is a significant number of cases reported in the prison population—228 as of March 1986. About 95 percent of these victims have been intravenous drug users.

By recent estimates, 25 percent of all AIDS cases in the United States involve intravenous drug use. Moreover, many public health officials believe that IV drug users are the most likely avenue for spreading the virus to the general public. Centers for Disease Control (CDC) statistics indicate that 17 percent of AIDS patients who are IV drug users are heterosexuals. More than half of the women who have AIDS are IV drug users.

In 1985, 9,000 cases of AIDS were diagnosed in the United States and reported to the CDC. Based on an empirical model that uses reported cases of AIDS, there will be nearly 16,000 cases of AIDS reported in 1986. As of July 28, 1986, 7,142 cases of AIDS have been diagnosed and reported to the CDC for the year bringing the cumulative total of AIDS cases in the nation to 23,115.

The most effective way that we can reduce the incidence of AIDS among IV drug users and the risk of spreading this disease is to ensure that IV drug users are provided treatment and help to remain drug free. Providing drug treatment for all those who need it is a critical component of the fight against AIDS.

The Committee is informed that many heroin addicts are now regularly or frequently using cocaine in combination with heroin in areas where heroin is available. This is known as "a speedball" or "speedballing" and goes back to the 1920's, the last point in time when heroin and cocaine were readily available prior to about 1970. Treatment professionals in the New York area report that 50 percent of the heroin addicts are now using heroin in combination with cocaine.

While the percentage of heroin entering the United States from the three areas of production varies by a few percentage points each year or during the course of the year, indicators coming to the attention of this Committee reveal that the percentage breakdown for the three areas has remained essentially the same as 1985. The overall volume has significantly increased and each area has managed to maintain its share of the market.

About 50 percent of the heroin entering the United States originates in the Near East-South Asia region, principally Pakistan, followed by India, Sri Lanka, Turkey, Syria and Lebanon. The opium raw material for this heroin originates from illicit production in Pakistan and Afghanistan for the most part, but also in Iran and Turkey. India is utilized as a base from which to smuggle heroin of Pakistani origin to Western Europe, the United States and Canada. Indian, Sri Lankan, Nigerian, Ghanan and Beninese nationals are frequently used as couriers.

The fact that India, particularly New Delhi and Bombay, have become important transit centers for the international heroin traffic raises concern that international traffickers may begin to divert significant quantities of legally produced Indian opium to illicit heroin manufacture. An example of the magnitude of the illicit manufacture and traffic of heroin in South Asia was the January 1986 seizure of 615.5 kilos of heroin by Indian authorities in a village 93 miles from Bombay where it was being stored. This is the largest heroin seizure of record ever made. In August 1986 Indian authorities at Bombay seized 372 kilos of heroin on a truck that was intercepted and which also contained one ton of hashish. Both seizures were traced to Pakistan. Previously, the largest seizure of record was 432 kilos of heroin seized aboard a shrimp trawler at Marseilles in 1972 about to depart for Miami.

About 30 percent of the heroin affecting the United States originates in Mexico where since late 1982 the quality and quantity of the heroin has increased sharply and the trend has persisted.

The remaining 20 percent of the heroin traffic to the United States comes from Thailand, Burma, Malaysia and Hong Kong, where it is produced from opiate raw materials originating in Burma, Thailand and possibly Laos.

During FY 1985, the 12 month period between October 1, 1984, and September 30, 1985, Federal authorities seized 446.6 kilos of heroin, as compard to 349.2 kilos seized during the same period in 1984. During FY 1986, 364 kilos of heroin were seized.

One indicator of expansion in the heroin traffic was a seizure by Customs at Seattle in June 1985 of 95 kilos of heroin two individuals were attempting to smuggle from Bangkok concealed in ice buckets. This was the largest heroin seizure in the United States since 1974. Follow-up investigation of the organization responsible for this shipment determined that during the 18 month period between January 1984 and June 1985, using the same modus operandi, this group successfully smuggled in 1,500 kilos (1.5 tons) of heroin. Evidence that one organization smuggled one ton of heroin into the United States during 1984 raises a serious question on the reliability of the National Narcotics Intelligence Estimate for 1984 which reported that 5.97 tons was the total heroin consumed in the United States in 1984. This Committee estimated the amount at 10 tons.

The heroin epidemic in Europe

This Committee regards reports coming to its attention on the extent of the traffic and use of heroin in Western Europe as nothing short of alarming. In 1985 in Western Europe a total of 1,826 kilos of heroin were reported as seized by police and customs authorities as compared with 446 kilos seized in the United States and 146 kilos seized in Canada during the same period. Heroin known or presumed to have been obtained or produced in the Near and Middle East and India accounted for 50 percent of the total. Heroin known or presumed to have been produced in South East Asia accounted for 15.5 percent. Heroin known or presumed to have been obtained or produced in Turkey was 17.7 percent of the total heroin seized. The origin of 6.1 percent of the heroin seizures could not be traced.

For the first 8 months of 1986 a total of 1,136 kilos of heroin has been seized in Europe. At this rate a total of 1,704 kilos would be seized for the entire year. However, reporting often runs one to two months late and it is thought overall seizures for 1986 will run about the same or slightly higher than 1985. It is now estimated that there are 1.5 million heroin users in Western Europe, including 200,000 users in each of the 5 major countries of the region: United Kingdom, France, Italy, Spain and the Federal Republic of Germany.

The remaining 500,000 heroin users are to be found in the Netherlands, Austria, Belgium, Switzerland, Malta, Greece, Luxembourg, Sweden, Norway, Denmark, Yugoslavia, Finland, Portugal and Ireland.

The heroin epidemic in Asia and Australia

Opium produced in Afghanistan, Pakistan, Burma, Thailand and Laos is being converted to heroin in those countries as well as in Malaysia and Hong Kong for export abroad and for local and regional distribution. Clandestine heroin manufacture in Asia originated in Shanghai in the mid-1930's. It came to Hong Kong in 1950, to Thailand and Singapore in 1960, to Burma and Malaysia in the early-1970's, to Pakistan in the late-1970's and to Afghanistan and India in the 1980's.

For many years heroin addiction was concentrated mainly in Hong Kong, Thailand and Malaysia. Now it is spread from Japan to Pakistan. Estimates of the number of heroin users by country are: Pakistan 450,000; India, 500,000; Thailand, 500,000; Malaysia, 175,000; Nepal, 15,000; Australia, 30,000; Hong Kong, 50,000; and Japan, 30,000.

Marijuana

On the basis of the indicators coming to the Committee's attention, the Select Committee estimates that between 30,000 to 60,000 tons of marijuana is being smuggled to the United States annually. This is being augmented by an estimated 4,000 tons of illicit domestic cultivation.

For 1984, this Committee reported that about 70 percent of the marijuana entering the United States originated in Colombia; 15 percent in Mexico; 7 percent in Jamaica; 5 percent in Belize and 3 percent in all other foreign sources. Domestic production amounts to an additional 13 percent of that total.

For 1985 there is reason to believe Mexico captured a larger share of the market. Estimates are that Colombia supplied 60 percent; Mexico, 25 percent; Jamaica, 7 percent; Belize, 5 percent; and all other foreign sources, 3 percent.

For 1986 estimates are that Colombia has maintained its 60 percent share of the market; Mexico, 25 percent; Jamaica, 5 percent; Belize, 4 percent; Guatemala, a relatively new producer, 3 percent and all other foreign sources, 3 percent.

In 1980 only two States reported a significant marijuana cultivation problem. In 1986, all States reported significant cultivation and programs in concert with the DEA to eradicate this production.

It is estimated that 25 million people in the United States regularly use marijuana and as many as 40 million may be occasional users; 62 million, reportedly, have tried it once in their life. The 1985 survey involving 16,000 high school seniors conducted by the University of Michigan Institute for Social Research for the National Institute on Drug Abuse reported that marijuana remains the most widely used illicit drug among high school seniors, 54 percent reporting they had used it at least once, 41 percent during the past year, 26 percent in the past month, and 5 percent reporting daily use.

Marijuana mentions in emergency rooms in 1985 increased in Chicago, Dallas, Denver, Kansas City, New Orleans, St. Louis, San Diego, San Francisco and Washington, D.C.

Hashish

During 1986, the estimated level of hashish smuggling to the United States remained at about 200 tons with trafficking and abuse patterns within the country showing no significant change. It is estimated that 60 percent of the hashish entering the country originates in Pakistan and Afghanistan; 30 percent in Lebanon; 5 percent from Morocco; and 5 percent form all other sources.

Psychotropic drugs

During 1986, in addition to the traffic and abuse of the three basic natural narcotic substances—cocaine, heroin and marijuana—there was a continuing widespread and heavy illicit manufacture, traffic and abuse in the United States of the psychotropic drugs: PCP, methamphetamine, and LSD. In 1986 it is estimated that 7 million people abused the various stimulants, depressants or hallucinogenic forms of the psychotropic substances.

In point of requiring hospital emergency treatment for users, diazepam was the leader in 1984, followed by PCP, marijuana, barbiturates/sedatives, methamphetamine, amphetamine, methaqualone and LSD.

For the same year, with respect to reported deaths where psychotropic drugs were involved, the leader was barbiturates followed by diazepam, PCP, methamphetamine, methaqualone, amphetamine and LSD.

For 1985 reported hospital emergencies were led by diazepam, followed by PCP, marijuana, barbiturates, amphetamine, methamphetamine and methaqualone. Psychotropic drug involvement in reported deaths were led by barbiturates, followed by diazepam, PCP, amphetamine, methamphetamine, methaqualone and marijuana.

There has been a sharp rise in the illicit manufacture, traffic and abuse of methamphetamine throughout much of the country during 1984 and 1985, but particularly in Texas and Southern California. In 1983, 122 illicit laboratories were seized; in 1984, 185; in 1985, 206; and in 1986, 310. Dosage units seized in 1982 were 3.9 million; in 1984, 9.7 million; in 1985, 16.4 million and in 1986, 27.3 million.

PCP mentions in 1985 increased in 6 DAWN metropolitan areas. They were: Kansas City, Miami, Oklahoma City, St. Louis, San Francisco and Washington, D.C.

Before 1983, 85 percent of the methaqualone trafficked in the United States was smuggled in from abroad, 10 percent was diverted from supplies legally manufactured in the United States and 5 percent was produced in clandestine laboratories in the United States.

Legal domestic manufacture ceased in November 1982. Since then 95 percent of the supply has been smuggled from abroad, and 5 percent continues to be illicitly produced domestically. Cooperative diplomatic action abroad has dramatically curtailed the availability of the essential chemicals for the illicit manufacture of methaqualone and also tightened controls to prevent diversion of legal manufacture and stocks. This has resulted in reducing the availability of methaqualone in the United States by an estimated 80 percent in 1985 from what it was in 1981.

Methaqualone related deaths declined from 165 in 1981 to 11 in 1984 and 8 in 1985.

The Committee is informed that the combining of alcohol with narcotic and psychotropic drugs as well as with other medicines and chemical substances on an annual basis between 1983 and 1985 has resulted in from 25,000 to 30,000 hospital emergency treatments and between 900 and 1,000 deaths. The most commonly encountered controlled substances found in combination with alcohol requiring emergency treatment were: (1) diazepam; (2) barbiturates; (3) marijuana; and (4) heroin. Deaths occurred as follows: (1) heroin; (2) barbiturates; (3) diazepam; and (4) codeine. Obviously, combining any depressant substance with alcohol, which is a depressant, is far more lethal than combining alcohol with non-depressant substances.

PCP by all reports is of illicit domestic manufacture, as is the bulk of amphetamine and methamphetamine. However, amphetamine is also illicitly produced in substantial quantities in Mexico for smuggling to the United States, and methamphetamine is occasionally smuggled in from Canada.

LSD is of illegal domestic manufacture and is also smuggled in from Western Europe. Although much less in volume, psilocybin, mescaline and liquid cannabis are illicitly manufactured, trafficked and abused in the United States. Liquid cannabis is also smuggled from the hashish and marijuana producing countries.

The total number of illicit narcotic and psychotropic laboratories seized in the United States continues to steadily rise on an annual basis from 183 to 444 in 1986.

Diazepam is the most widely prescribed depressant-tranquilizer used in medicine and is the most widely abused psychotropic substance. It is increasingly found as the primary ingredient in counterfeit methaqualone tablets.

An illicit traffic in diazepam has developed in recent years supplied through over-prescribing, diversion and smuggling from abroad. Canada is the primary source of disazepam smuggled to the United States. There is no record of any clandestine diazepam laboratories being seized in this country. Diazepam ranks fifth among all abused controlled substances. However, about 80 percent of all diazepam mentions in recent years have been in combination with other phychoactive substances, particuarly alcohol.

1984 reported drug abuse deaths

1. Heroin	1,499
2. Cocaine	604
3. Barbiturates	452
4. Diazepam	279
5. PCP	226
6. Methamphetamine	81
7. Methaqualone	11
8. Amphetamine	59
9. LSD	1
Total	3,212

1985 reported drug abuse deaths

1. Heroin	1,768
2. Cocaine	643
3. Barbiturates/Sedatives	424
4. Diazepam	315
5. PCP	195
6. Amphetamine	77
7. Methamphetamine	64

8. Marijuana [1]	24
9. Methaqualone	8
Total	3,518

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[1] 4.2 percent result of direct single drug use, remainder in combination with other drugs, other medical problems or accidents.

1984 reported drug abuse hospital emergencies

1. Heroin	13,355
2. Cocaine	10,996
3. Diazepam	9,042
4. PCP	6,242
5. Marijuana	4,489
6. Barbiturates/Sedatives	3,927
7. Methamphetamine	1,948
8. Amphetamine	974
Total	50,973

1985 reported drug abuse hospital emergencies

1. Heroin	14,696
2. Cocaine	13,501
3. Diazepam	8,324
4. PCP	5,677
5. Marijuana	5,271
6. Barbiturates/Sedatives	3,562
7. Amphetamine	1,118
8. Methamphetamine	800
Total	53,466

DOMESTIC ILLICIT NARCOTIC AND PSYCHOTROPIC DRUG LABORATORY SEIZURES

	1981	1982	1983	1984	1985	1986
Methamphetamine	89	132	122	106	206	310
PCP	35	47	47	12	21	7
Amphetamine	14	18	25	14	43	67
Methaqualone	13	7	11	3	5	4
PCE	0	1	1	1	0	0
P2P	0	6	7	7	21	21
PHP	0	0	2	0	0	0
DMT	0	1	1	0	0	0
MDA	0	3	5	0	3	3
Fentanyl	0	0	0	0	0	3
Psilocybin	0	0	2	1	1	0
LSD	4	0	0	0	0	0
Mescaline	1	2	0	0	0	0
Cocaine	5	6	10	21	32	21
Heroin	0	0	2	2	0	0
Methadone	0	1	1	0	0	0
Hashish Oil	0	0	4	1	0	0
Other Hallucinogens	10	0	0	0	0	0
All Others	12	0	0	0	2	8
Total	183	224	240	168	334	444

Treatment admissions

Treatment admissions statistics are another indicator of the extent of the drug problem. For fiscal year 1985, the National Association of State Alcohol and Drug Abuse Directors received reports of treatment admissions from 46 State agencies, the District of Columbia, Guam, and Puerto Rico. They reported 305,360 drug client treatment admissions.

Of these 305,360 admissions 274,861 drug client admissions could be categorized by types of treatment. Forty-six agencies reported 12,586 admissions to hospitals, 52,925 to residential facilities and 209,350 to outpatient environments. In terms of treatment modality, 41,973 client admissions were for detoxification, 38,460 were for maintenance and 195,187 for drug-free types of treatment services.

Of the 46 States, the District of Columbia, Guam and Puerto Rico which reported admissions data by sex, 69 percent of the drug client admissions were male. The breakdown by age was: 11.1 percent under age 18; 9.8 percent, 18–20; 17.1 percent, 21–24; 43.2 percent, 25–34; 14.3 percent, 35–44; 2.6 percent, 45–54; .8 percent, 55–64; .3 percent, age 65 and over; and .8 percent, not reported. The breakdown by race/ethnicity was: 61.3 percent, White, not of Hispanic origin; 24.4 percent, Black, not of Hispanic origin; 11.5 percent, Hispanic; .4 percent, Asian or Pacific Islander; 1.0 percent, American Indian or Alaskan Native; .6 percent, Other; and .8 percent, not reported.

Heroin mentions constituted a large portion of drug client admissions by drug of choice in overall reporting of such information from 39 States, the District of Columbia, Guam, Puerto Rico and the Virgin Islands. In 26 States, Guam and the Virgin Islands, however, cocaine and/or marijuana mentions exceeded heroin mentions.

The number of admissions according to primary drug of abuse are presented in the following chart. Information was available on 267,315 admissions.

Treatment admissions by primary drug of abuse

Heroin	89,456
Other Non Rx Methadone	1,637
Opiates/Synthetics	13,966
Barbiturates	2,974
Tranquilizers	3,936
Other Sedatives/Synthetics	2,772
Amphetamines	15,185
Cocaine	39,827
Marijuana/Hashish	62,235
PCP	11,432
Other Hallucinogens	2,346
Inhalants	1,716
Over the Counter	570
Other	18,368
Total	267,315

New York City statistics indicate an increase in treatment admissions for cocaine. The number of treatment admissions to state-funded treatment programs in New York City with cocaine as the primary drug of abuse increased seven percent between 1982 and 1983 (from 1,804 to 1,936). Between 1983 and 1984, the number increased a dramatic 63 percent (from 1,936 to 3,159). The increase in 1985 continues with a 36 percent increase (from 3,159 to 4,298). These increases come at a time when treatment programs funded by the State have been operating at capacity or above. Nevertheless, cocaine admissions represent an increasing proportion of admissions to treatment in New York.

New York City treatment admissions with cocaine as primary drug of abuse[1]

Year:	
1983	1,936
1984	3,159
1985	4,298
1986	1,561

New York City treatment admissions with heroin as primary drug of abuse[1]

Year:	
1984	13,260
1985	12,863
1986	3,123

[1] Source: N.Y.S. Division of Substance Abuse Services, Bureau of Management Information Systems.

The Chart above shows the number of New York City heroin treatment admissions and the percentage of admissions that report heroin as the primary drug of abuse. Heroin admissions to state-funded treatment programs in New York City have declined steadily since 1982 but were stabilizing in 1985. These declining admissions were probably related to the fact that most treatment programs, especially methadone programs, had been operating at capacity or above. State-funded programs of all modalities with a capacity of 30,880 in New York City were operating at 105 percent capacity in May 1986. State-funded methadone programs were operating at a capacity of 105 percent with a census of 24,692 clients in May 1986.

With the dramatically increasing numbers of cocaine admissions to drug-free treatment programs in New York City, the proportion of heroin admissions comprise a declining proportion of all admissions to treatment programs. Nevertheless, heroin remains the leading drug of abuse among admissions to treatment programs in New York City.

CONCLUSION

Whether one looks at overall trends or annual statistics, the picture is bleak. Yet, these figures indicate only the tip of the iceberg. Statistics are reported voluntarily. DAWN data are not only based on voluntary reporting, but include information from only 27 metropolitan areas. While drug abuse may be a more severe problem in major metropolitan areas, the problem exists across the country. Thus, the picture of the extent of drug abuse given by these figures is only a partial one. The actual extent of the problem is ever greater.

THE ANTI-DRUG ABUSE ACT OF 1986: A LEGISLATIVE HISTORY

1986 was a significant year for legislative efforts to control drug abuse and drug trafficking. The passage of H.R. 5484, the Anti-Drug Abuse Act of 1986, marks the first time the Congress enacted legislation to address all aspects of our Nation's drug problems—international narcotics control, interdiction, drug law enforcement, treatment, prevention, and education.

President Reagan signed H.R. 5484 into law on October 27, 1986 (P.L. 99-570).

The enactment of the Anti-Drug Abuse Act of 1986 is a tribute to the bipartisan leadership in the House of Representatives whose initiatives led to the drafting of the new drug law. The Select Committe on Narcotics Abuse and Control was given a unique role to play in this process. It served as a resource to the standing committees of the House and individual members during the development of the bill, and directly assisted the House leadership when H.R. 5484 came up for consideration on the House floor.

During the Select Committee's field hearings and investigations in 1986, the members of the committee observed increased public concern over the growing nature and extent of drug abuse in America. Practically every community has been affected by drug abuse and drug related crime. Yet, at the same time, governmental and private efforts to come to grips with these twin problems seemed to always fall short of success.

A national tragedy then occurred. Len Bias a young, talented basketball star at the University of Maryland who had recently been drafted by the Boston Celtics of the National Basketball Association, died of an overdose of cocaine on June 19, 1986. The Bias death touched off an outpouring of national concern and frustration over the direction of Federal drug abuse policy. When Members of Congress returned home for the 4th of July recess, drug abuse emerged as the major topic of concern among constituents.

On July 23 1986, House Speaker Thomas P. O'Neill convened a meeting of all committee chairmen with jurisdiction over drug abuse and drug trafficking issues. The objective of the meeting was to develop a comprehensive drug initiative before the 99th Congress adjourned.

At this meeting the Speaker stated, "The drug trade needs to be hit, and hit hard, at both ends; where these poisons are produced, and at the demand end, on the streets and in the suburbs, where the drugs are being consumed". The Speaker appointed House Majority Leader Jim Wright to serve as the coordinator of the standing committees' efforts to bring a comprehensive drug bill to the House for a vote by September 10, 1986.

On July 24, 1986, Majority Leader Wright hosted a luncheon meeting of committee chairman and other key Members who had been active on drug abuse issues. House Minority Leader Robert Michel co-hosted this luncheon. A joint statement on bipartisan strategy on drug abuse issued by the Leadership after the luncheon stated, "Democratic and Republican leaders are in total agreement on the need to prepare comprehensive legislation on the growing problem of drug abuse in the United States." The leaders went on to state that in addition to working with the standing committees they would, "enlist the support of the Reagan Administration in the preparation of a legislative initiative."

Between July 24 and the August recess the standing committees began hearings and markup on various items of drug legislation that had been pending before them. In addition, the committees sought out new ideas and initiatives for inclusion in the omnibus proposal.

The Select Committee is pleased to note that several of its legislatives initiatives were included in the omnibus bill fashioned by the bipartisan steering committee. During the course of the deliberatios by the standing committees on these and other initiatives, Chairman Rangel, Ranking Minority Member Gilman as well as other members of the Select Committee testified on these measures in committee or participated in their deliberations through their standing committee assignments.

In the first session of the 99th Congress members of the Select Committee introduced H.R. 526, the "State and Local Narcotics Control Assistance Act". This measure authorized $750 million per year for fiscal years to assist State and local governments in drug law enforcement and drug abuse treatment and prevention efforts. On August 7, 1986, the Subcommittee on Crime of the Judiciary Committee held a hearing on this bill and received testimony from Mr. Rangel and Mr. Gilman.

The Judiciary Committee also reported out the "Designer Drug Enforcement Act of 1986" on July 29, 1986. This bill which was strongly supported by members of the Select Committee, proscribes the manufacturing and trafficking in controlled substance analogs, so called "designer drugs".

On February 6, 1986, members of the Select Committee introduced H.R. 4155, the "Drug Abuse Education Act". This bill authorized $100 million for fiscal years 1987 through 1991 for a program of Federal grants to States to establish drug abuse education programs in elementary and secondary schools. The program would be administered by the Secretary of Education. On August 6, Chairman Rangel testified in support of this measure for inclusion in the omnibus bill before the House Committee on Education and Labor.

On May 8, 1986, Chairman Peter W. Rodino of the Judiciary Committee was joined by Mr. Rangel, Mr. Gilman, Mr. Guarini, and Mr. Hughes in introducing H.J. Res. 631, the "White House Conference on Drug Abuse Resolution". This resolution calls on the President to convene a White House Conference on Drug Abuse and drug trafficking within six months of its enactment. The objective of the conference is to call together the best minds in the country to assess the our Nation's war on drugs. On July 24 the Judiciary Subcommittee on Crime held a hearing on this resolution and proceeded into markup. The full Judiciary Committee reported the bill on July 29, 1986.

On September 20, 1985, Chairman Rangel and Mr. Gilman introduced H.R. 3404, the "Narcotics Control Trade Act". This bill stipulated that any country that is a direct or indirect source of illegal drugs significantly affecting the United States shall not be granted most-favored-nation-trade status if the President determines that the nation is not cooperating with the United States to restrict the cultivation, production, and traffic in illicit drugs. This bill was cosponsored by the following members of the Select Committee: Representatives Rodino, Scheuer, Stark, Ortiz, Collins, Akaka, Matsui, Fauntroy, Towns, Levine, Chappie, Strang and DioGuardi.

On August 5, 1986, Mr. Rangel testified in support of H.R. 3404 before the Subcommittee on Trade of the Committee on Ways and Means. Mr. Rangel urged that the sanctions contained in the Narcotics Control Trade Act be included in the omnibus drug bill and stated his support of other measures pending before the Trade Subcommittee to enhance the role of the Customs Service in drug interdiction.

Mr. Fascell, as Chairman of the House Foreign Affairs Committee, and Mr. Gilman and Mr. Smith, as cochairmen of the Foreign

Affairs Task Force on International Narcotics Control, were instrumental in the development of the provisions contained in H.R. 5352, the International Narcotics Control Act of 1986. This bill became the international drug control section of the omnibus bill, contained many provisions to improve the management of existing international narcotics control programs, provided additional funds if the President requests and justifies the need for them, encouraged a regional response to narcotics control in Latin America, and urged increased international cooperation in this area.

On September 10, 1986, the House began floor consideration of H.R. 5484, the omnibus drug control act. The bill was managed by House Majority Leader Wright assisted by Select Committee Chairman Rangel. During the course of the floor debate, the following members of the Select Committee offered amendments to the bill:

> Mr. Rangel, to raise the level of Federal assistance to state and local law enforcement to the amounts proposed in H.R. 526.
>
> Mr. Levine, to ban the sale of hard core drug paraphernalia in the mails or in interstate commerce.
>
> Mr. Hunter, to significantly expand the role of the military in drug interdiction.
>
> Mr. Smith, to establish a reward for information leading to the arrest or conviction of Jorge Luis Ochoa Vasquez for narcotics offenses, and to make a portion of narcotics assistance to Mexico contingent on the full investigation of the murder of DEA Agent Camarena and the detention and torture of DEA Agent Cortez.
>
> Mr. Towns, to require the Department of Health and Human Services to conduct a study of the nature and effectiveness of drug treatment programs.
>
> Mr. Coughlin, to widely disseminate audio-visual and other curricular materials for drug abuse education.

H.R. 5484 achieved final passage in the House, with amendments, on September 11, 1986, and the bill was sent to the Senate where it was passed with amendments. In lieu of a formal conference the difference between the two versions were resolved through a series of amendments passed by the House and the Senate. H.R. 5484 was passed in final form as the "Anti-Drug Abuse Act of 1986 by both the House and Senate on October 17, 1986. The bill was signed into law by President Reagan on October 27, 1986.

During debate on the bill many members of Congress expressed the view that H.R. 5484 should be seen as a first step in developing a comprehensive national drug abuse policy. The Select Committee believes that the Congress must exercise careful oversight of the legislation to assure that it is implemented effectively and expeditiously, and to assure that additional resources are provided to solidify and expand the gains that this legislation will make possible.

A summary of the major provisions of the Anti-Drug Abuse Act of 1986 follows.

SUMMARY OF H.R. 5484, THE ANTI-DRUG ABUSE ACT OF 1986 (P.L. 99-570)

International narcotics control

Authorizes $75.4 million for FY 1987 for international narcotics control activities by the Department of State, $10 million more than requested in the President's budget.

Authorizes an additional $45 million for such activities in 1987, provided the President submits a budget request to Congress for the additional funds, including a detailed plan as to how the funds would be used.

Earmarks $10 million of the additional $45 million for aircraft to countries receiving narcotics control assistance in 1987, primarily for aircraft and helicopters to be based in Latin America for narcotics eradication and interdiction efforts throughout the region.

Earmarks not less than $2 million of international military education and training funds for pilot and aircraft maintenance training for narcotics control activities.

Withholds 50% of U.S. assistance and requires the U.S. representatives to the multilateral development banks to vote against loans or other assistance to each major illicit drug producing and drug transit country, unless the President certifies to Congress annually that the country has taken adequate steps to control illicit narcotics activities or that the aid restrictions would be contrary to the vital national interests of the United States. Congress may override a Presidential certification by enactment of a joint resolution disapproving the President's determination.

Designates $1 million for the development of a safe and effective herbicide for the aerial eradication of coca plants.

Amends the Mansfield Amendment to allow U.S. drug enforcement agents to assist foreign officers in making drug arrests abroad, and to participate in direct police drug arrest actions in a foreign country provided the Secretary of State and the Attorney General determine that such activities are in the national interest of the United States.

Enhances information collection and sharing on narcotics related activities abroad.

Prohibits U.S. aid to any country whose government, or senior government officials, are involved in narcotics traffic.

Calls on the President to take effective steps to improve the U.S. capability to respond to narcoterrorism, with $2 million earmarked to protect judges and other officials in Latin America who might be targets of narcoterrorists' attacks.

Withholds $1 million in narcotics control assistance to Mexico pending the full investigation and prosecution of the murderers of DEA Special Agent Enrique Camarena and those responsible for the detention and torture of DEA Special Agent Victor Cortez.

Requires the United States to urge the multilateral development banks to increase assistance for drug eradication and crop substitution programs in major illicit drug producing countries.

Urges the government of Pakistan to adopt and implement a comprehensive program for the aerial eradication of opium poppy, the interdiction of drug supplies, and for the effective prosecution of drug traffickers.

Calls on the President to instruct the U.S. Ambassador to the United Nations to request that the U.N. Secretary General raise with the International Conference on Drug Abuse and Illicit Trafficking the problem of illicit drug production in Iran, Afghanistan, and Laos, the largest opium poppy producing countries which do not have narcotics control programs.

Provides new authority for the President to deny preferential tariff treatment to the products of any country that fails to cooperate with the United States in eradicating drug crops and apprehending drug smugglers.

Denies a sugar quota to any country whose government is involved in the illicit drug trade or is not cooperating with the United States in narcotics control.

Relaxes current restrictions on U.S. aid to Bolivia in recognition of that country's cooperative efforts in "Operation Blast Furnace" to destroy coca processing laboratories and storage sites in Bolivia.

Authorizes an additional $2 million for 1987 for the United States Information Agency to increase drug education programs abroad.

Authorizes an additional $3 million for 1987 for activities by the Agency for International Development to increase awareness of the effects of illicit drug production and trafficking on source and transit countries.

Expresses Congressional support for the United Nations International Conference on Drug Abuse and Illicit Trafficking to be convened in 1987.

Urges the President to direct the Secretary of State, in conjunction with National Drug Enforcement Policy Board, to enter into negotiations with the Government of Mexico to establish a Mexico-United States Intergovernmental Commission on Narcotics and Psychotropic Drug Abuse and Control which was recommended by the delegations from Mexico and the United States that attended the 26th Mexico-United States Interparliamentary Conference.

Drug interdiction at our borders

Directs the Secretary of Defense to procure aircraft and equipment for loan to Federal drug enforcement agencies to enhance drug surveillance and interdiction. Funds are authorized for the following:

$40 million for 8 Blackhawk helicopters to apprehend drug smuggling aircraft when they land in the U.S.

$138 million to upgrade 4 radar equipped aircraft to be used in the detection of drug smuggling planes. Two of these aircraft are to go to the Customs Service and two to Coast Guard.

$99.5 million for 7 radar aerostat balloons to detect suspected drug smuggling aircraft on the southwest border and in the Caribbean.

Requires the Secretary of Defense to report to Congress within 90 days a detailed list of all forms of assistance that shall be made available by Defense to civilian drug enforcement and interdiction agencies and a detailed plan for promptly rendering such assistance and equipment.

Authorizes use of $7 million in existing Defense funds to acquire major equipment needed by the Civil Air Patrol for drug interdiction surveillance missions.

Permits military assistance to Federal civilian agencies in their support of drug control efforts by foreign nations.

In emergency circumstances, permits military equipment operated by military personnel to intercept suspected drug smuggling aircraft and vessels outside the land area of the United States for purposes of communicating with them and directing them to a location designated by appropriate civilian officials. This activity may continue into the land area of the United States in cases of hot pursuit which began outside the United States.

Coast Guard

Authorizes an additional $94 million for 1987 for Coast Guard acquisition, construction and improvements, including $5 million for a Coast Guard drug interdiction docking facility in the Bahamas.

Authorizes an additional $39 million for Coast Guard operating expenses in 1987 to increase Coast Guard active duty personnel to 39,220 and increase utilization of Coast Guard equipment.

Authorizes an additional $45 million in 1987 for the Department of Defense to be used to install 360-degree radar systems on Coast Guard long-range surveillance aircraft.

Provides permanent authority for the assignment of Coast Guard personnel to Navy vessels for drug law enforcement. Transfers $15 million from the Navy to the Coast Guard in 1987 for 500 additional Coast Guard personnel to be assigned to Navy vessels for drug enforcement duty.

Mandates that the Coast Guard Selected Reserve attain a strength of not less than 14,400 by the end of fiscal year 1987 and that not less than 1,400 be used to augment Coast Guard units assigned to drug interdiction missions.

Clarifies the authority and procedures for Coast Guard enforcement against maritime drug smuggling.

Customs

Revises Customs laws to strengthen Customs' enforcement capability to detect and apprehend smugglers and to interdict narcotics. Among the changes, vessels will be required to report their arrival in the United States immediately, rather than within 24 hours as is now the case. Vehicles and pedestrians will be required to cross into the United States only at approved crossings and to report immediately. Airdropping drugs to vessels at sea will be prohibited, and aircraft and vessels used in connection with such violations will be subject to forfeiture. The bill also allows Customs to engage in undercover activities more freely.

Authorizes an additional $199.5 million for the Customs Service to enhance the agency's drug interdiction role. This amount includes $81 million for additional drug enforcement personnel and $93.9 million for expanded air interdiction efforts in 1987, and $25 million to establish command, control, communications, and intelligence centers to improve coordination of interdiction operations.

Extends the Customs Forefeiture Fund for four years (to 1991), increases from $10 million to $20 million the amount which may be appropriated from the fund, and expands the expenses which can be paid for out of the fund.

Authorizes $10 million to establish a joint United States-Bahamas drug interdiction task force.

Authorizes an additional $7 million to the Department of Justice for 1987 for helicopters for drug interdiction operations in Hawaii.

Drug law enforcement at home

A tough new Federal criminal offense of money laundering is created and loopholes in existing currency laws are closed to prevent the evasion of currency reporting requirements.

The importation of drug paraphernalia is prohibited, and the sale of paraphernalia through the mails or in interstate commerce is banned.

The manufacture and distribution of controlled substance analogs, so-called "designer drugs" is banned.

Mandatory minimum sentences are established for Federal drug law violations. The mandatory sentences range from 5 to 20 years, despending on offense category and whether it is a first or second offense. Life imprisonment is permitted if a death or a serious injury results from the distribution of a highly addictive controlled substance.

Fines for most drug-related offenses are substantially increased.

A new penalty structure is created for the simple possession of a controlled substance, for the distribution and use of piperidine, and for using children to manufacture and distribute controlled substanes.

Manufacturing controlled substances within a 1000 feet of elementary or secondary school, or college is made a Federal offense.

Makes the operation of places to manufacture, distribute, and use controlled substances a Federal offense.

A new Federal grant program to assist state and local governments in drug law enforcement is established. $230 million per year for the next three fiscal years is authorized for this program.

The Armed Career Criminal Act is amended to include a 15 year mandatory minimum prison sentence for the possession of a firearm by persons with 3 convictions for drug trafficking.

The Secretary of Defense is required to conduct a study to identify buildings owned or operated by the Department of Defense that could be made for use as a prison by the Department of Justice.

The Freedom of Information Act is amended to prohibit the disclosure of law enforcement investigative information that could be reasonably expected to alert drug dealers and organized crime of law enforcement activity related to them.

An additional $60 million is provided for the activities of the Drug Enforcement Administration.

Authorizes an additional $96.5 million in 1987 for Federal prison construction.

Federal forfeiture laws are amended to permit the forfeiture of substitute property of a convicted drug trafficker, if the property that is subject to forfeiture is otherwise unavailable, has diminished in value, or cannot be separated from property that is not subject to forfeiture.

Aliens will be subject to deportation for the conviction of any drug-related offense. The Immigration and Naturalization Service is required to give a prompt response to inquires by local law enforcement officials concerning illegal aliens arrested for drug violations.

The Federal Aviation Act is amended to require owners of registered aircraft to report sales or transfers of ownership to FAA within 15 days.

States are authorized to establish criminal penalties, including the seizure and forefeiture of aircraft, for violation of the Federal Aviation Act's aircraft registration system.

Aircraft operators are required make available for inspection an aircraft's certificate or registration upon the request of a Federal, State or local law enforcement officer.

Establishes new criminal penalties for illegally transporting controlled substances in violation of Federal Aviation Administration regulations.

Calls for a study of the means to control the diversion of legitimate precursor and essential chemicals to the illegal production of drugs.

Provides rewards to those assisting with the arrest and conviction of persons guilty of killing or kidnapping a Federal drug agent.

Makes it a Federal offense to operate or direct the operation of a common carrier while intoxicated as a result of using alcohol or drugs. Standards are also established regarding the testing, licensing and qualification of operators of commercial motor vehicles.

The President is required to convene a White House Conference on drug abuse and drug trafficking. This conference would call together the best minds in the country to evaluate and improve the national strategy to combat drug abuse.

The President is required to submit recommendations for legislation to reorganize the Executive Branch to more effectively combat international drug trafficking and drug abuse.

Reducing the demand for drugs

Education and prevention

Establishes for the first time an active Federal role in drug abuse education. Authorizes $200 million for fiscal year 1987, $250 million for fiscal year 1988 and $250 million for fiscal year 1989 for a variety of Federal or Federally supported drug abuse education and prevention programs.

Earmarks 81.8 percent of amounts available for any fiscal year for grants to States based on relative school-age population (with no State to receive less than .5 percent of the amount reserved for grants to States).

Of amounts received by a State, 30 percent is to be used by the Governor for State programs. Fifty (50) percent of funds reserved to the Governor are earmarked for innovative community-based programs of coordinated services for high-risk youth. The remaining 50 percent is for awards to local governments and other nonprofit groups (including parent groups, community action agencies, and other community-based organization) for programs such as local, broadly-based drug and alcohol abuse prevention programs, training in drug abuse prevention and education, development and distribution of public information, technical assistance, and coordination of statewide prevention activities.

The remaining 70 percent of a State's allotment is to be used by the State educational agency. Of this amount, 90 percent is for grants to local and intermediate educational agencies and consortia, based on relative school-age population. The remaining 10 percent is for State activities such as: training and technical assistance; development and dissemination of drug abuse education curricula and teaching materials; drug abuse education demonstration projects; and special financial assistance for drug education programs in sparsely populated areas, in areas serving large numbers of economically disadvantaged children and for other special needs.

Funds made available to local educational agencies are to be used for drug and alcohol abuse prevention and education programs including: the establishment of drug abuse education curricula; school-based early intervention and prevention programs; family programs; counseling; referral to treatment and rehabilitation; training; public and community education programs; programs for student athletes; and programs to identify and discipline drug and alcohol abusers. To receive funds, a local educational agency must establish, implement or augment mandatory drug abuse education programs for students in all grades from the early childhood level to grade 12.

Provides for the participation of children and teachers from private nonprofit schools in programs funded under the bill.

Reserves 8 percent of funds available in any year for grants to institutions of higher education for drug abuse training programs, model demonstration programs with local schools to develop quality drug abuse education curricula, and drug abuse education and prevention programs for students in institutions of higher education.

Earmarks 3.5 percent of funds available in any year for Federal drug abuse education and prevention activities by the Secretary of Education in conjunction with the Secretary of Health and Human Services.

Sets aside 2.2 percent of amounts appropriated for any year for programs for Indian youth, Hawaiian Natives and the territories.

Earmarks 4.5 percent of available funds in any year for the 5 regional training centers that currently operate the Department of Education's successful alcohol and drug abuse education program, known as the School Team Approach.

Establishes a National Trust for Drug-Free Youth to encourage private gifts to assist the Secretary in carrying out drug abuse prevention and education activities.

Authorizes $5.5 million for efforts by the ACTION agency to increase private sector and volunteer drug abuse prevention activities.

Authorizes $3 million for the Secretary of Labor to collect available information and conduct additional research on drug abuse in the workplace.

Establishes the President's Media Commission on Alcohol and Drug Abuse Prevention to examine existing public education programs and coordinate the voluntary donation of resources from the media, private business and professional sports organizations to implement new public information programs for drug and alcohol abuse prevention.

Treatment, rehabilitation and research

Authorizes a total of $241 million for fiscal year 1987 for drug and alcohol abuse treatment and rehabilitation programs.

Earmarks 70.5 percent ($169.9 million) for allotments to States to expand drug and alcohol abuse treatment and rehabilitation services. Of this amount, 45 percent is to be distributed to States on the basis of relative population and 55 percent on the basis of need.

The remaining 29.5 percent is allocated as follows:

6 percent ($14.5 million) to be included in State allotments under the Alcohol, Drug Abuse, and Mental Health Services Block Grant;

4.5 percent ($10.8 million) for transfer to the Administrator of Veterans Affairs for veterans drug and alcohol abuse services;

1 percent ($2.4 million) to evaluate treatment programs; and

18 percent ($43.4 million) to establish a new Office for Substance Abuse Prevention in the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) of the Department of Health and Human Services (HHS), and for grants to demonstrate effective models for drug and alcohol abuse prevention, treatment and rehabilitation among high risk youth ($20 million is earmarked for these demonstration grants).

The new Office for Substance Abuse Prevention created by the bill is intended to provide higher visibility and funding to Federal drug and alcohol abuse prevention efforts. The activities of the Office would include: sponsoring regional prevention workshops; coordinating research findings; developing and disseminating effective prevention materials; supporting clinical training; creating radio and TV public service announcements on drug abuse prevention; supporting the development of model community-based prevention programs; and conducting training, technical assistance, data collection and evaluation.

Establishes a new clearinghouse for drug and alcohol abuse information in HHS to disseminate information on the health effects of alcohol and drugs, information on successful alcohol and drug abuse prevention curricula, and information on effective and ineffective school-based prevention programs.

Authorizes for 1987 $129 million for drug abuse research by the National Institute on Drug Abuse (NIDA) and $69 million for alcohol abuse research by the National Institute on Alcohol Abuse and Acoholism (NIAAA).

Requires HHS to conduct a study of the use of alkyl nitrite products and to determine whether such products should be treated as a drug under the Federal Food, Drug, and Cosmetic Act.

Enhances drug and alcohol programs for Federal employees, and requires all Federal agencies to establish employee assistance programs to combat drug and alcohol abuse.

Authorizes a comprehensive attack on drug and alcohol abuse among Indian tribes and their members and on illegal narcotics trafficking in Indian country.

ACTIVITIES

COMMITTEE HEARINGS

Drug trafficking and abuse along the Southwest border

El Paso (January 13)

Witnesses:

Honorable Mark White, Governor, State of Texas, accompanied by Colonel James B. Adams, Director, Texas Department of Public Safety

Honorable Toney Anaya, Governor, State of New Mexico

Sergeant Paul Irwin, Narcotics Unit, Special Investigative Group, El Paso Police Department

Sheriff Henry B. Diaz, Dona Ana County, New Mexico

Chilo L. Madrid, Executive Director, Aliviane, Inc., El Paso, accompanied by Dr. Victor Acosta, Director, Centros de Integracion Juvenil, Juarez, Mexico

Ted Kepple, Director, Office of Instructional Resources/Health and Physical Education, El Paso Independent School District

Michael L. Eicher, President, El Paso Parents for Drug Awareness

Phillip E. Jordan, Special Agent in Charge, Dallas Division, Drug Enforcement Administration

Dennis T. Snyder, Regional Commissioner, Southwest Region (Houston), U.S. Customs Service

Larry L. Richardson, Chief Patrol Agent, Border Patrol, Immigration and Naturalization Service, El Paso

Tucson (January 14)

Witnesses:

Colonel Ralph T. Milstead, Director, Arizona Department of Public Safety

Peter Ronstadt, Chief of Police, Tucson, Arizona

Richard C. Johnson, Special Agent in Charge, Phoenix Division, Drug Enforcement Administration

J. D. Jondall, Chief Patrol Agent, Immigration and Naturalization Service, Tucson, Arizona

Dennis T. Snyder, Regional Commissioner, Southwest Region (Houston), U.S. Customs Service, accompanied by Joseph W. Maxwell, Director, Customs Aviation Operations Center West

Mr. Edward Zborower, Drug Program Representative, Office of Community Behavioral Health, Arizona Department of Health Services

Gary Ackerson, Executive Director ADAPT, Inc., Pima County, Arizona

Domingo Rodriguez, Vice President of Behavioral Health, Chicanos Por La Causa

Al Rivera, Assistant Principal, Pueblo High School, Tucson Unified School District

Kristine Bell, Chemical Abuse Specialist, Arizona Department of Education

Mark H. Nathan and Scott Chasan, Students at Santa Rita High School, Tucson Unified School District

Marilyn Civer, National Federation of Parents for Drug-Free Youth

San Diego (January 16)

Witnesses:

Honorable John Van de Kamp, Attorney General, State of California

Robert L. Jackson, Deputy Director, California Department of Alcohol and Drug Abuse

Francie Alexander, Director, Curriculum and Instructional Assessment Division, California Department of Education

Edwin L. Miller, District Attorney, San Diego County

John F. Duffy, Sheriff, San Diego County

Oren Fox, Sheriff, Imperial County

Kenneth O'Brien, Deputy, Chief, San Diego Police Department

Dr. Thomas W. Payzant, Superintendent, San Diego City Schools

David Dhillon, Advisor, Camarena Club, Calexico, California

Leon L. Williams, Supervisor, San Diego County

William Mitchell, Alcohol and Drug Abuse Prevention Task Force (ADAPT), San Diego

Judy Arendsee, Californias for Drug-Free Youth

Roberto Martinez, United States-Mexico Program, American Friends Service Committee

Glenda Sheekle, Concerned parent and citizen

Diogenes K. Galanos, Special Agent-in-Charge, San Diego Field Division, Drug Enforcement Administration

Quintin L. Villanueva, Jr., Regional Commissioner, Pacific Region, Customs Service

Rear Admiral Bruce Beran, Commander, 11th District, Coast Guard

Allan E. Eliason, Chief Border Patrol Agent, San Diego District Office, Immigration and Naturalization Service

Peter K. Nunez, United States Attorney, Southern District of California

Colonel Harvey Pothier, Deputy Director, Drug Enforcement Task Force, Department of Defense

From January 12–19, 1986, the Select Committee on Narcotics Abuse and Control conducted a study mission to the southwest border of the United States and Mexico City. The purpose of the study mission was to investigate reports of increased drug production in Mexico, examine the extent of drug trafficking activity through Mexico to the United States, and review the law enforcement and drug abuse problems created in the border States by the influx of drugs from Mexico. This study mission was carried out at the request of members of the Congressional Border Caucus.

As part of this study mission, the Select Committee held a series of three hearings to examine drug trafficking and abuse along the border. These hearings were held in El Paso, Texas; Tucson, Arizona; and San Diego, California. At each hearing testimony was received from Federal, State and local law enforcement representatives, treatment and prevention specialists, education officials, and concerned community leaders. Major findings from the hearings and resulting recommendations for improving border drug enforcement and interdiction were discussed in the section of this report describing the Select Committee's study mission to the southwest border and Mexico.

Impact of Gramm-Rudman on Federal drug programs (March 18, 1986)

Witnesses:

William von Raab, Commissioner, U.S. Customs Service

Admiral James S. Gracey, Commandant, U.S. Coast Guard

David Westrate, Assistant Administrator for Operations, Drug Enforcement Administration

Elaine Johnson, Acting Deputy Director, National Institute on Drug Abuse

The Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177), also known as Gramm-Rudman, established a series of binding limits on the budget deficit, declining to zero in 1991. To achieve a balanced budget by 1991, the Act created an unprecedented new process, called "sequestration," to make automatic, across-the-board spending cuts in any year for which the deficit is projected to exceed the statutory maximum.

On March 18, 1986, the Select Committee held a hearing in Washington, D.C., to review the impact of the Gramm-Rudman balanced budget law on Federal drug programs. At the time of the hearing, automatic cuts of 4.3 per cent for 1986 had already gone into effect for domestic programs, including drugs programs. A Federal appeals court panel had found the automatic sequestration provisions unconstitutional, but the ruling was stayed pending Supreme Court review. The Supreme Court ultimately struck down the automatic budget cutting procedure, but the act also included back-up provisions to impose across-the-board cuts if needed to reach the deficit targets.

The purposes of the Select Committee's hearing were: to review the status of 1986 funding for agencies with key drug abuse responsibilities and how the 4.3 per cent cuts would affect their drug control activities for the remainder of the fiscal year; to examine the impact of Gramm-Rudman on agency budget requests and operating plans for 1987 and the priority given to drug control activities in the Administration's 1987 budget; and to explore what the impact would be on Federal drug program if substantial across-the-board cuts were necessary to achieve the $144 billion deficit target for 1987.

In fiscal year 1986, Congress authorized $717 million for U.S. Customs Service salaries and expenses and $75 million for the Customs air interdiction program. As a result of Gramm-Rudman and proposed rescissions, these amounts were being reduced to $682 million and $52.2 million, respectively.

In his statement, Commissioner von Raab sought to allay fears that had been expressed by members of the Select Committee about the reductions that would take place in fiscal 1986 as a result of the enactment of Gramm-Rudman and budget rescissions. In spite of the reductions, he said Customs would try to minimize the impact on enforcement and operations of their field units in 1986. Staffing would be held at current levels, with only selected priority positions being filled for the remainder of the year (Note: As a result of 1986 budget cuts, Customs was to lose 777 positions, including 265 inspectors, that had been authorized previously but never filled.). Other reductions would be directed at non-critical travel, training and the procurement of equipment.

The fiscal year 1987 Customs budget proposed $693 million for salaries and expenses and $54.7 million for the air program, a total increase of $13.2 million over the fiscal year 1986 level after Gramm-Rudman reductions and budget rescissions. To achieve the 1987 appropriations level, Customs proposed to implement savings from a selective hiring policy, through productivity increases associated with automated systems, and from streamlining port operations. In total, the proposed savings would account for $21,131,000 and require a reduction of 770 average positions, including 321 inspectors.

Mr. von Raab went on to say that in spite of the budget reductions, Customs had made and would continue to make significant progress, especially in the air and marine interdiction areas. In fact, he said, Customs marine and air operational capabilities would actually be upgraded during 1986 and 1987. Staffing for the air program would show an increase from the 1984 level of 250 positions to 385 positions in 1987. Staffing for the marine program would increase from the 1984 level of 347 positions to 564 positions in 1987. An additional P-3A detection aircraft would also be brought on line in the current year for a total of four in 1987 (Note: Plans originally called for a total of six P-3's to be on board in 1987, but funds for the last two were cut by the Administration from the Customs 1987 budget request.). Forty new Blue Thunder-type high speed boats would be brought on board in 1987, and most would be available to the newly developed Blue Lighting Strike Force, which coordinates State and local law enforcement teams with Federal enforcement agencies.

Commissioner von Raab said funds would also be made available for the development of two command, control communications intelligence centers which, when fully developed, would permit Customs to place aircraft and marine sightings and interceptions under a single integrated command system.

The conclusion of Commissioner von Raab's testimony centered on the problems that Customs was encountering along the border with Mexico. He expressed great concern over the current situation on the southwest border. He said he was increasingly distressed and alarmed by what is happening along the border, and called it a "modern day horror story." To back up his assessment, he alluded to the fact that drug smugglers have been building new landing strips in Mexico less than 100 miles from our border, and to the fact that warehouses to store vast quantities of drugs were being built in similar locations.

He went on to say that while our border is open and free—the way most Americans want it—the alarm must be sounded that our border "is being violated at will." He compared the current southwest border situation to what the situation was in Florida six years ago. "The corruption and ineptitude in Mexico is not a laughing matter. It is a serious national security concern. If law enforcement can be so easily bought by drug smugglers, it can just as easily be bought by terrorists." He finished by saying that no amount of force could be brought to the border that would correct the situation. The change that needs to take place, he said, is a change in the attitudes of our Mexican neighbors.

Chairman Rangel and other members of the Committee told Commissioner von Raab that his pessimistic assessment of the problems on the southwest border corresponded to the Select Committee's findings from its January 1986 study mission to the southwest border and Mexico.

In his testimony Admiral Gracey said that prior to Gramm-Rudman the Coast Guard had expected to spend about $345 million in 1986 on drug interdiction, in addition to receiving an extra $15 million from the Navy to increase the number of Coast Guard law enforcement detachments assigned to Navy ships. After the 4.3 per cent sequestration, he said the Coast Guard planned to spend about $330 million on drug enforcement activities plus $14.3 million from the Navy for the law enforcement detachment program.

Overall, Gracey said, the Coast Guard had been forced to absorb about $142 million in FY 1986 cuts. This total included $76 million in Gramm-Rudman reductions, $30 million due to an unfunded military pay raise, and a $36 million shortfall from the President's budget request. While this was less than the $230 million cut the Senate had proposed, Gracey said he was continuing the "squeeze down/slow down" policy he had put into effect in the early part of fiscal year 1986 when the Senate had approved the larger reduction. He said he expected the policy to continue throughout the entire year.

In terms of Coast Guard drug law enforcement, Gracey said the "slow down" policy meant that the canceling of all routine air and marine patrols unless there was good indication of illicit trafficking activity in a particular area. He said the Coast Guard also cut back training and maintenance and cut fishery patrols in half, even though fishery patrols are often in areas where fishing vessels are a prime way of moving drugs. He said the Coast Guard had done its best to minimize the effect of cutbacks on Coast Guard operations in the southeastern United States where the drug smuggling threat is very high, but he admitted there had been some impact.

Admiral Gracey said the possibility of a budget supplemental would give the Coast Guard some relief, but the basic strategy was to "hang on and absorb our shortfalls for the year. This will be tough," he said. "It will involve depleting our spares inventory and temporarily reducing maintenance on our capital plant. This strategy will erode our operating base for this year . . . but hopefully not eliminate it for the future."

For 1987, Gracey said the President's budget request, if approved, would return Coast Guard programs to funding levels which would permit near normal operating levels. He decried the blind application of across-the-board budget cuts and urged adoption of the President's budget which, he said, achieved the deficit reduction targets by realigning Government priorities and acknowledged the high priority of Coast Guard enforcement and other programs.

With regard to the impact of potential across-the-board cuts in 1987, Gracey said an 8.4 per cent cut, as the Congressional Budget Office had recently estimated, would require significant changes in the Coast Guard's operations, and that even the Coast Guard's highest priority programs, including drug enforcement, could not be protected against reductions. With a cut of 10-20 per cent, as some had estimated, he said the Coast Guard's drug effort would be "hit in the head. You would have a Coast Guard, but it would not look anything like what you have today."

Finally, he urged Congress to be more supportive of operating expenses for the Coast Guard. He said Congress had been very helpful in providing ships, planes and other hardware, but he asked Congress to remember that, "Somebody has got to fly it, sail it, operate it and maintain it. Do not put us in the position of having lovely new hardware and nobody to use it.

In his testimony, David Westrate, Assistant Administrator for Operations, Drug Enforcement Administration (DEA), said that of the $380 million appropriated for DEA for fiscal 1986, $16 million would have to be cut as a result of Gramm-Rudman. Every effort was being made, however, to limit the impact on high-priority, sensitive areas. DEA did not expect that hiring or staffing plans would have to be adjusted.

Mr. Westrate said the use of carry-over funds from 1985, as well as anticipated receipts from the Asset Forfeiture Fund and the reprogramming of funds originally allocated for the Diversion Grant Program, would be used to minimize the effect of Gramm-Rudman on ongoing operations. For the most part, the enforcement program would not be affected, but DEA would not be able to implement program enhancements that had been postponed for some time. For example, there would have to be cutbacks on planned office renovations and funding for relocation of personnel. The possibility of achieving gains in the purchase of evidence and information through the use of Asset Forfeiture Fund receipts would not be realized because these receipts would be used to offset the impact of Gramm-Rudman on the other priority needs.

Mr. Westrate went on to say that DEA would not be able to purchase equipment as planned to restore the equipment base needed to support investigative operations. Specifically, DEA would not be able to purchase covert radio systems, audio systems, recorders, pen registers, laboratory equipment, and other equipment necessary for these operations.

DEA's primary concern for 1986, he said, would be over funds needed for the purchase of evidence and information. As the agents authorized in the 1985 supplemental are hired and generate case activity, DEA might not have sufficient funds to purchase evidence and information.

As far as fiscal year 1987 was concerned, Mr. Westrate said that the proposal submitted by the President was adequate to meet the needs of DEA. In particular, the continuing need for additional special agents would be met with an increase of 80 special agents and 76 support staff. In all, net program increases would be $25,200,000. He went on the say, however, that DEA hoped there would be no automatic reductions taken against the 1987 request. Should such automatic reductions be required, DEA would have to attempt to minimize the impact on ongoing investigations and other priority programs.

In an exchange with Mr. Westrate, Mr. Hughes was critical of the Administration for reprogramming funds away from the diversion investigation grant program after DEA had come before the Congress the year before and asked for the program as a high priority need. Mr. Hughes said the investigation of therapeutic, controlled drugs diverted from licit channels of distribution was another area where the Federal Government had "not kept faith with our State and local law enforcement agencies in dealing with a national problem." He said he did not think DEA was making enough of a commitment in the area given the scope of the diversion problem.

Elaine Johnson from the National Institute on Drug Abuse (NIDA) said the Gramm-Rudman reductions had cut NIDA's 1986 appropriation of $91,807,000 by $3,948,000. She described the following reductions made necessary by Gramm-Rudman:

> Research, the largest part of NIDA's funding, was cut the most, being reduced by $3,183,000 from $74 million.
>
> As a result, the average project funding was cut 4.3 per cent, from $147,100 to $140,800. Also, two planned small grants were eliminated, and one research center was reduced by about 20 per cent. Funding for three NIDA intramural research laboratories—neurosciences, abuse potential, and clinical chemistry—was reduced.
>
> In the area of research training, one predoctoral and one postdoctoral fellowship were eliminated, and all contracts not yet awarded were to be reduced 5 per cent.
>
> NIDA's direct operations budget was also reduced 4.3 per cent; however, since NIDA did not plan to reduce staff as a result of Gramm-Rudman, cuts within this activity fell heaviest on NIDA's prevention program. NIDA's planned support for prevention activities was reduced 19 per cent. At the time of the hearing, NIDA had decided to postpone some workshops until 1987 and not print and distribute as many publications as originally planned. Further cuts, as yet undetermined, would be necessary to achieve the full reduction.
>
> Operating costs for travel, supplies, training and computer services were being reduced 15 percent.

Ms. Johnson said the 1986 Gramm-Rudman reductions were giving NIDA some difficulties but she did not anticipate any serious or lasting effect on NIDA's overall program. By and large, she said, the reductions were being absorbed by reducing planned activities rather than canceling projects. Although some planning prevention activities might have to be canceled in 1986, she said 1987 requested funds were sufficient to renew them.

For 1987, she said the President's budget, which was formulated to achieve the Gramm-Rudman deficit target, included a $2.5 million increase for NIDA. She described the 1987 request as essentially a "current services" budget in that it would continue the agency's programs at 1986 post-Gramm-Rudman levels. She noted that

NIDA's budget had "fared very well" in 1987, which she said "clearly reflects the Administration's support of these activities."

Ms. Johnson said it was difficult to predict what the effect would be of a 20 percent across-the-board cut in 1987, if that became necessary. She said a cut of that magnitude would "clearly have major impact on our programs" and would require a major review to determine whether particular activities should be maintained, cut back, or eliminated altogether.

In response to questions by Members of the Committee, Ms. Johnson admitted that, looking at the overall statistics on drug use, the need for treatment and prevention services had increased over the past five years. She resisted the suggestion, however, that the Federal Government was not meeting its obligations in this area, arguing that the responsibility for treatment and prevention services had been transferred to the States. In reply, Representative Guarini said, "But no matter how you restate it, no matter what kind of . . . . attractive phrasing we use, the fact is the Federal Government is not putting its resources in a problem that is increasing year by year. Our participation and our sense of national priority is decreasing if we look at the funding."

Findings and conclusions

The hearing revealed that Gramm-Rudman was definitely having an impact on these agencies. For 1986, with the exception of Customs, they generally expected to absorb the 4.3 per cent across-the-board cuts without the need to reduce personnel. Cuts were being made by reducing travel, delaying or canceling personnel moves, delaying purchases of equipment, supplies and services, delaying planned maintenance and office renovations, and reducing planned activities and operations. For Customs, however, the combination of Gramm-Rudman cuts and proposed rescissions was forcing the loss of 777 authorized positions, including 265 inspectors, and reducing the agency's air interdiction program by one-third.

For 1987, the picture is mixed. The Administration's 1987 budget claimed drug enforcement was one of its top domestic priorities. This appeared to be more accurate with respect to drug investigations than interdiction. DEA's request included 80 new agents to support expanded cocaine, heroin, and dangerous drug investigations. The Coast Guard's request was adequate to resume normal or near-normal operations, but no funds were included for expanded drug initiatives. The 1987 budget proposed further personnel reductions in Customs (770 positions, including 321 inspectors) and at best was adequate to maintain the air program at the 1986 post-Gramm-Rudman levels. No funds were requested for Customs to acquire the last two of six P-3 drug surveillance aircraft as planned. NIDA's 1987 budget basically proposed to continue the agency's programs at 1986 post-Gramm-Rudman levels.

None of the agencies had a very good idea of what might happen if they were forced to absorb 10–20 percent cuts in 1987. It was clear, however, that cuts of this magnitude would force major personnel losses and seriously impair drug control activities.

Drug abuse and drug trafficking are among the most serious, if not the most serious, social problems confronting our nation today. They threaten not only the health and welfare of our citizens but our national security as well. No where is this more apparent than on our southwest border where, as Customs Commissioner von Raab described in his testimony, the drug traffic is out of control.

The Select Committee has continually urged Congress and the Administration to give our nation's drug problem the top budgetary priority that is needed to reduce the tremendous costs of drug abuse and drug trafficking on our society. The Committee's hearing clearly showed that Gramm-Rudman makes such a priority impossible. To meet the deficit reduction targets it establishes, Gramm-Rudman requires indiscriminate, across-the-board cuts. It does not permit priorities but treats all programs equally.

Nor does the Administration's 1987 budget assign a sufficient priority to drug programs. While DEA, Coast Guard and NIDA generally fared quite well in the budget as compared to other programs, the stable funding levels or modest increases proposed for 1987 are simply not adequate to combat a drug problem that is growing alarmingly year by year. The cuts proposed for the Custom Service, if approved, would seriously impair that agency's ability to combat the flow of illegal drugs into our country. Customs, and all our agencies with drug abuse responsibilities, need significantly greater resources if we are to mount an effective, comprehensive program against drug abuse and drug trafficking.

Drug trafficking and abuse in New Jersey, Newark, New Jersey, Friday, April 11, 1986

Witnesses:

The Honorable Frank R. Lautenberg, United States Senate

The Honorable Kenneth Gibson, Mayor of Newark

Walter Adams, Director of Police, Jersey City Police Department, representing The Honorable Anthony Cucci, Mayor of Jersey City

Colonel Clinton Pagano, Superintendent, New Jersey State Police

Charles Knox, Police Director, City of Newark

George Daher, Chief of Police, City of East Orange

Thomas D'Alessio, Sheriff, Essex County

Captain Frank Mona, Union City Police Department, Narcotics Squad

Thomas Greelish, United States Attorney, District of New Jersey

Glenn Cooper, Special Agent-In-Charge, Newark Division, Drug Enforcement Administration

Thomas Wise, Assistant Regional Commission, Mid-Atlantic Region, Internal Revenue Service, Criminal Investigation Division

Arthur Stiffel, Special Agent-In-Charge, Newark, United States Customs Service

John McGinley, Special Agent-In-Charge, Newark Division, Federal Bureau of Investigation

Richard Russo, Assistant Commissioner, Division of Narcotics and Drug Abuse Control, State of New Jersey

George Hicks, Director, New Well, Inc., Newark, New Jersey

David H. Kerr, Director, Integrity House, Inc., Newark, New Jersey

Ron LaMargese, Director, L&L Clinics, City of Irvington

Edna R. Thomas, Director, Soul-O-House, City of Newark

Reverend Norman J. O'Connor, Straight and Narrow, Inc., Patterson, New Jersey

Ms. Patricia Joyner, Director, Drug Education Program, Newark Board of Education

Mr. Thomas Taylor, President, Jersey City Chapter NAACP

Mr. James Wasser, Counselor and Teacher, Bayonne Public Schools.

On Friday, April 11, 1986, the Select Committee on Narcotics Abuse and Control held hearings in Newark, New Jersey, on the nature and extent of drug trafficking and abuse in New Jersey. These hearings were requested by Select Committee members, Peter W. Rodino, Jr., and Frank Guarini both of whom participated in the hearing and who had received reports of New Jersey's increasingly significant role in the trafficking of drugs on the east coast of the United States. Similarly, Messrs. Rodino and Guarini were greatly concerned about the rise in drug-related crime and drug abuse in their districts. During preparations for hearings on AIDS and (intravenous) IV drug use in New York City during November 1985, the Select Committee was shocked to learn that New Jersey, one of the smallest states in the United States, ranked fourth in terms of the total number of AIDS patients, but first in terms of IV drug users with AIDS.

Other Members of Congress present for the hearing were Charles B. Rangel, (D-N.Y.), Chairman of the Select Committee on Narcotics, and Benjamin A. Gilman (R-N.Y.), Ranking Minority Member, Select Committee on Narcotics.

Chairman Rangel waived his opening statement in order to receive the testimony of the Honorable Frank R. Lautenberg, United States Senator from New Jersey.

Senator Lautenberg told the Select Committee that New Jersey should be a focal point of the nation's effort to rid our society of illegal drugs. He cited several reasons for this:

1. New Jersey has a large number of illegal drug users;
2. New Jersey is a major transportation hub, served by highways, mass transit, railroads, airplanes and seagoing vessels, all of which suit it for drug trafficking;
3. New Jersey is virtually the only state in which drug abusers are the largest group of AIDS victims;
4. Port Newark and Port Elizabeth, both in New Jersey, are very significant shipping facilities holding 11 percent of all general cargo entering and leaving the United States ports;
5. Newark International Airport rivals Kennedy Airport in New York in volume of air traffic;
6. The New Jersey coastline is long and convenient for small boats;
7. The New Jersey Turnpike is an important link in the north-south corridor from Florida to Philadelphia, New York and New England.

All of these make New Jersey a major distribution center for both legitimate and illegitimate commerce.

Senator Lautenberg, a member of the Senate Appropriations Committee, spoke of the Federal Government's fiscal commitment to the anti-drug effort. In fiscal year 1985, the Federal Government spent about $1.7 billion on drug enforcement, interdiction and treatment programs. For fiscal year 1986, virtually every Federal law enforcement agency involved in drug enforcement received more personnel authorizations than the Administration requested in its budget proposal. Senator Lautenberg, however, expressed dismay that the Administration was not using the resources made available. For example, funds were appropriated to specifically establish a DEA field office in Camden, New Jersey. Seven months into the fiscal year, that office had still not opened.

The Senator also questioned the wisdom of the Administration's proposal to reduce the number of Customs agents by 1400, ten percent of the force. It is these very agents who were needed to inspect and process legitimate shipments as well as to identify illegal imports. He called for a more sincere commitment on the part of the Administration. Failure to do this will result in greater statistics regarding wasted lives, unemployment or reduced productivity in the workplace, alienation from facilities and society at large, and increase criminal activity.

Congressman Rodino, in his opening statement, referred to an article in the April 11th Newark Star Ledger which quoted the New Jersey Attorney General as saying,

> Jersey fights a losing battle in its war on drugs . . . nearly two-thirds of New Jersey High School students, in a poll, recently admitted using illicit drugs at one time or another.

Congressman Rodino stated that this situation has been going on for a long time.

Mr. Rodino cited a specific provision in the Foreign Assistance Act which calls upon the President to cut off all aid to those countries which fail to cooperate with us in narcotics trafficking. This provision was enacted in 1972. At no time since then has a Republican or Democratic Administration in the White House cut of such aid, although there have been occasions when such action was warranted. Congressman Rodino said that international trafficking in illicit narcotics must be made the highest priority in our foreign policy agenda. It is essential, he said that we try to dry up the sources. In conclusion, Mr. Rodino stated,

> . . . regardless of deficit, we have got to use monies in order to be able to, through, law enforcement to do something about stopping the trafficking . . . unless we educate our citizens, our youth, and try rehabilitation I do not think we are going to be able to deal with the problem . . . we are going to be spinning our wheels . . . our children are going to be drug-ridden, drug plagued, and God help us.

Congressman Guarini agreed with Congressman Rodino, saying that drug education must be assigned the same priority as eradication in the source countries, interdiction, and enforcement. The Administration's spending of only $3 million nationally on drug education out of an $18 billion education budget shows a lack of commitment in dealing with this $100 billion problem. Mr. Guarini called upon both Houses of the Congress to provide more money for drug education.

Congressman Gilman, in his opening statement addresses his comments to Senator Lautenberg, calling for Senate support of additional appropriations which had been proposed in the House. These appropriations would address proposed cutbacks in Customs Service agents, drug education programs, and aid to State and local law enforcement agencies.

Mr. Gilman said that neither the House nor the Senate was doing enough to prevent drug abuse. Mr. Gilman pointed to the estimated $200 billion lost annually by the private sector for drug-related costs, the loss of lives, and the destruction of the minds and bodies of the nation's young people as evidence of a need for decisive action.

Chairman Rangel said the United States had thus far been unsuccessful in curtailing illicit narcotics cultivation in Southeast Asia, Mexico, and South America. We have also been unsuccessful in protecting our borders from drug smuggling. He said that as we continue and intensify our efforts in these areas, there must be a dramatic increase in the emphasis of conducting drug education programs.

Congressman Frank Guarini, in commenting on the drug crisis in New Jersey, cited the following facts and figures:

> The New Jersey Department of Health reports that New Jersey has 50,000 heroin users, 100,000 cocaine users and 1 million users of marijuana.
>
> Nearly two-thirds of an estimated 2,300 robberies, 10,000 burglaries, and 14,000 larcenies in Hudson County (Mr. Guarini's district) are linked to drug users.

In concluding his remarks, Mr. Guarini called for a total cooperative effort at the Federal, State and local levels.

Mayor Kenneth Gibson, Mayor of Newark, New Jersey, testified that on the basis of his observations and experiences the drug problem is a world-wide problem requiring coordination on international, national, state and local levels. It is a law enforcement, public health education and social problem requiring greater commitment of monies and energies.

An effort currently ongoing in New Jersey is the formation of a number of state-wide organizations each comprised of a specific discipline; law enforcement, treatment, and education. Mayor Gibson testified that these organizations will periodically come together to share resources and coordinate their activities.

Mr. Walter Adams, Police Director of the Jersey City Police Department, testified as a representative of Mayor Anthony Cucci of Jersey City. Mr. Adams, a 15-year veteran of the Jersey City Police Narcotics Squad prior to his appointment as Police Director, observed that our youth are beginning use of narcotics at younger and younger ages.

Mr. Adams told the Select Committee that the narcotics arrests statistics by the Jersey City Policy Department's narcotics squad increased by 16 percent a year during each of the past two years. The narcotics squad, thus far in 1986, has confiscated over $100,000 in cash and numerous vehicles. They have recently joined in a cooperative effort with New Jersey State Police, New York State

Police, New York City Police Department, Newark Police Department and the New York City Narcotics Task Force to share and pass along information on known narcotics violators. Mr. Adams identified the needs of the narcotics squad as increases in manpower and equipment. He also stated that a concentrated effort is needed to educate children, at the earliest possible age, as to the dangers of drug abuse.

Colonel Clinton Pagano, Superintendent of the New Jersey State Police, testified that New Jersey's geography is a major factor in the State's significant role in drug trafficking. New Jersey's location makes it an extension of both New York and Philadelphia. It is an overland route, a point through which a substantial quantity of drugs pass enroute to the northeastern part of the United States. During 1985, in one situation alone, the "Cocaine Alley" station in Woodstown, more than $17 million worth of narcotics, firearms, cash and automobiles were confiscated.

Colonel Pagano cited the increased anti-drug activities of community organizations such as the Paterson Inter-faith Community Organization. This and other groups have been bringing concerned citizens together in churches, schools, and meeting halls to discuss strategies for dealing with drug trafficking and abuse. Colonel Pagano told the Select Committee that this is a very important development. It is an acknowledgement of an historic over-reliance on the Federal, State and municipal governments to solve societal problems. Similarly it is indicative of a realization that a truly effective anti-drug effort must begin in the home, with parallel efforts being conducted by the schools and the law enforcement community. He said,

> Someplace, somewhere along the line, the people themselves have got to rise up and make their voices heard in this critical issue, the same as they have in the drunk driving area . . .

Mr. Pagano endorsed H.R. 526, which would provide substantial financial assistance to State and local law enforcement. He testified that coordination and cooperation among Federal, State and local law enforcement agencies has been good. He expressed agreement with the President's Commission on Organized Crime's recommendation that more attention be given to emerging organized criminal groups. Colombians are comprising the major groups in New Jersey, as evidenced by the March 1985 arrest of 60 Colombians charged with operating a nationwide, $720 million a year, cocaine ring.

Charles Knox, Police Director for the City of Newark, New Jersey, spoke of the very slight deterrent effect of large drug seizures and arrests. He told the Select Committee about the increasing involvement of young children in drug trafficking. Some of them wear beepers so that either their drug source or drug customers can be in contact with them. Director Knox asked,

> How do you motivate these kids to want to go to school and do the kinds of things that make you productive and do it the right way, when there is such a profit margin in these drug activities?

Director Knox, prefacing his remarks by labeling them as controversial, suggested that consideration be given to legalizing drugs as a means of taking the profit out of it.

Chairman Rangel, shocked by the suggestion, challenged Director Knox to not only justify his comment but to explain how it could be achieved. Director Knox again stated that legalization was one option to be considered but he admitted he had not worked out the specific details. The Chairman said he refused to consider legalization as an option until all others means had been exhausted.

Among other suggestions made by Director Knox were implementation of drug education programs in schools; high prison sentences for drug kingpins; and greater input from print and electronic media via public service announcements, special programming, and greater attentiveness to program content.

George Daher, Chief of Police for the City of East Orange, New Jersey, told the Select Committee that Drug traffickers are using more sophisticated electronics equipment than most law enforcement agencies and they have access to radio frequencies of Federal, State and local agencies. Traffickers overall are better equipped. They have better cars and guns. They have much more money available to finance their operations.

Children as young as 12 years of age are being arrested for drug trafficking. They point out to the police that they are making four times as much money as the arresting officers, while working only two or three hours a night. Other crimes, particularly car theft, are being linked to drugs.

Chief Daher suggests four things:

1. Total commitment at the Federal, State and local levels of government. Lack of adequate funding is a chronic problem. The East Orange Police Department is 100 police officers short. Equipment is obsolete. Undercover buy money is inadequate;
2. An assignment of more and higher radio frequencies by the F.C.C.;
3. The establishment of a national clearinghouse on drug intelligence information, to be disseminated by the Federal Government to all law enforcement agencies;
4. Implementation of drug education programs starting no later than in the second grade.

Captain Frank Mona, of the Union City Police Department Narcotics Squad, told the Select Committee that the problem in street level drug enforcement is one of frustration and hopelessness because police officers are arresting the same people repeatedly. This happens, he said, with adults as well as juveniles.

Captain Mona related to the Committee an incident which had recently occurred in Union City. He said there was a particular male juvenile, approximately 15 years of age, who had been arrested on 14 different occasions by the Union City Police Department, and on five occasions by the Hoboken Police Department. Most of these arrests were for intent to distribute drugs. One of the Union City charges included possession of a semiautomatic handgun.

At his recent trials on these arrests, the juvenile was convicted on 11 of the 14 Union City charges, including the handgun charge. Out of a possible 15-year sentence, the youth received three years probation and in-house rehabilitation at the "Harbor House" in Hoboken.

Captain Mona told the Committee that there is a widespread concern over the leniency of the sentence, its effect on the morale of the police department and the entire community. There is a great concern that the lenient treatment of this juvenile is not in the best interests of this particular youth or the community. Finally, this leniency sends the wrong message to other juveniles involved in criminal activity and gives the citizens of Union City no relief from drug trafficking and its related criminal activities. Captain Mona proposed two solutions: preventive education beginning in elementary schools, and minimum mandatory incarceration for convicted drug traffickers.

Mr. Thomas D'Alessio, Sheriff of Essex County, New Jersey, asked the Committee to persuade the Congress and the Administration to provide funds which would help bolster drastically depleted resources and reestablish the kinds of Federal, State and local task forces created during the 1970 by the LEAA. Chief Daher told the Committee that there is a need for drug education programs, jails to lock up convicted drug dealers, and additional treatment centers.

Thomas Greelish, United States Attorney for the District of New Jersey, as other witnesses before him, cited New Jersey's major transportation centers, its gambling casinos, its high density population, and its proximity to New York City and Philadelphia as factors resulting in New Jersey being a focal point for all phases of drug trafficking. He told the Select Committee that Federal efforts to step up investigative and prosecutorial activity are being directly threatened by the budget cutting implications of Gramm-Rudman at a time when law enforcement agencies are seeking to expand their efforts into such areas as tracking currency flow, asset seizures and forfeitures, and corruption of public officials.

Mr. Greelish displayed several charts and tables which depicted the District of New Jersey as leading the nation in most areas of the drug war. Out of the 13 regions in the Organized Crime Drug Enforcement Task Force (OCDETF) program, the New York-New Jersey region is rated number one in five of the nine areas of measurement. Within the region, the District of New Jersey is number one in eight of the nine areas of measurement. OCDETF monies for undercover drug buys and investigator overtime will be exhausted by the end of the third quarter of the current fiscal year.

Chairman Rangel pointed out that Gramm-Rudman notwithstanding, the Justice Department has asked for less money than Congress is willing to appropriate. He asked for more evidence of the need for additional funding and observed that rarely does an Administration witness provide the type of candid testimony given by U.S. Attorney Greelish.

Mr. Greelish pointed out that at least half of the attorneys in his office are working on narcotics cases at any given time. He added that there were more Assistant U.S. Attorneys in the District of New Jersey in 1976 (62) than there are currently (60), although they are authorized for 65 attorneys. Mr. Greelish would gladly accept five additional attorneys, but states that if he had 25 additional attorneys he "could overwork them in days".

Mr. Greelish testified that at a recent national conference of U.S. Attorneys, the demand side of the problem was discussed. There was a general consensus at that conference that the U.S. Attorneys should become involved in more public activities, increasing the public's awareness of the enormity of the drug problem.

Mr. Glenn Cooper, Special Agent-in-Charge of the Newark Division of the Drug Enforcement Administration told the Select Committee that the Greater New York/New Jersey/Connecticut metropolitan area is one of the most densely populated areas of the country and, as such, probably has the largest concentration of drug abusers in the country. Mr. Cooper related three factors which contributed to New Jersey's prominence as a drug market and distribution center:

1. Most of the cocaine entering the United States is controlled by Colombian nationals. Northern New Jersey is home to the second largest concentration of Colombian nationals in this country. Many of these drug cartels control all points of the distribution pipeline—from South American sources of supply to New Jersey points of distribution to other wholesale and retail dealers.
2. New Jersey, home to Port Elizabeth and the Port of Newark, is the location of the second largest containerized cargo facilities in the world. With increasing volumes of containerized cargo coming into this facility, there is little doubt among the law enforcement community that enormous quantities of illicit drugs are coming from source or transshipment countries through ports of entry.
3. New Jersey, as the location of a large number of pharmaceutical suppliers, is regarded by clandestine lab operators as a shopping center for required precursor chemicals.

Mr. Cooper informed the Committee that the Newark office of the DEA, comprised of 40 agents, is responsible for 30 percent of all OCDETF cases made in the New York-New Jersey region. This office has accounted for 200 arrests during the first quarter of fiscal year 1986. He concluded by saying that interagency cooperation among Federal, State and local agencies is unique. He stressed that strong efforts must be made in both education and enforcement.

Thomas Wise, Assistant Regional Commissioner for the Mid-Atlantic Region of the Internal Revenue Service, Criminal Investigation Division, testified that the Newark office of IRS/CID has worked very closely with the U.S. Attorney's Office in the investigation and prosecution of Bank Secrecy Act violations. They have experienced tremendous success in this area. Mr. Wise told the Select Committee that the IRS has conducted over 100 investigations. Over 53 individuals and entities had been prosecuted. IRS/CID has also identified a need for education and presentations to financial institutions about the Bank Secrecy Act. Effective May 7, 1985, gambling casinos are now included and are subject to the same basic requirements as other financial institutions. Many of the IRS criminal investigations have been focussed on drug traffickers and related activities such as money laundering and illegal currency transactions.

Mr. Arthur Stiffel, Special Agent-in-Charge of the Newark office of the U.S. Customs Service, told the Members that Port Newark and Port Elizabeth, which combine to constitute the largest container port in the United States and the second largest container port in the world, receives an average of 3,800 containers every business day. Smuggling of narcotics by this method at times involves multi-ton and multi-kilogram quantities of heroin and cocaine. The Inspection and Control Division of the Customs Service, which handles most of the processing of cargo and passengers, has made a number of innovative changes in an effort to increase interdiction of contraband.

Customs, as a result of meaningful intelligence provided by DEA, has made substantial increases in interdiction. During the past 3 years, 13 smuggling vessels (motherships) have been seized off the coast of New Jersey. Seizures have involved multi-ton quantities of hashish or marijuana. During the fiscal year 1985, Customs in Newark increased the quantities of cocaine seized by 3,000 percent. Hashish seizures were increased by 100 percent over the same period. The Customs inspectional force has increased by 8 percent and the investigative force has increased by 90 percent (to a current 44 investigators) in the last two years.

Mr. Stiffel attributed increasing success in interdiction to more effective communication and coordination among the Federal, State, and local law enforcement agencies. The increase in intelligence from DEA sources has been of particular benefit.

John McGinley, Special Agent-in-Charge of the Newark Division Office of the FBI, related the FBI's perspective on the New Jersey drug trafficking situation.

In terms of manpower, 15 percent of the Newark Division's personnel are devoted to narcotics problems. This is the most that can be assigned to narcotics given the FBI's other areas of enforcement responsibility (white-collar crime, terrorism, foreign counter-intelligence, etc.). Within that limitation, the FBI has designated priorities for narcotics enforcement:

1. Tradition organized crime, Los Cosa Nostra, the FBI's traditional subject of investigation;
2. Colombian drug cartels, the largest and fastest growing non-traditional or emerging organized crime group; and
3. Large independent operations, which because of their size and the scope of their operation, have drawn FBI attention.

Mr. McGinley agreed with earlier statements that coordination and cooperation among law enforcement agencies was good. He testified, however, that there would always be room for improvement as long as the problems of drug trafficking and other criminal activities exist.

Ms. Edna R. Thomas, Director of Soul-O-House, testified that her program currently serves 122 adults and 40 juveniles. Her youngest patient is 12 years old. Her oldest is 63 years of age. Because of cutbacks in funding, Soul-O-House is serving fewer people than were served in 1981. Ms. Thomas called for a more comprehensive, and unified approach in addressing the drug problem, stressing the importance of equal emphasis on treatment and education as well as law enforcement.

Ms. Thomas observed that too many programs treat pieces of the problem, "drug addicts over here and pregnant mothers over there." She urged instead that consideration be given to treating the whole family because it is the entire family that is affected by drug abuse. She spoke of drug dependent fathers who are employed and abuse and fail to provide support for their families; drug dependent and single, expectant mothers unable to care for themselves or the unborn child. Ms. Thomas expressed concern over the children who are selling drugs on the street, wearing beepers, designer clothes and owning and leasing exotic cars. These children, she said, scoff at suggestions to work in summer youth corps programs. They are subject to a continuous series of contradictions and hypocrisies in societal values. Ms. Thomas told the Members that these children,

> . . . cannot live with hypocrisy. I do not know whether drugs is the answer or their dreams or an escape. But I know we have to do something.

Richard J. Russo, Assistant Commissioner of Alcohol, Narcotic and Drug Abuse for the State of New Jersey, testified that the statewide picture of drug abuse in New Jersey is very diverse. Marijuana abuse is fairly uniform throughout the State. Methamphetamine abuse is rampant in parts of southern New Jersey. Cocaine abuse has reached epidemic status throughout New Jersey, with over 100,000 current users in the rural south and shore parts of the State. He said that cocaine has not yet gained a foothold in northern New Jersey, but the emergence of "crack" showed indications of a sudden and sharp increase in cocaine abuse, particularly in Hudson and Essex Counties in northern New Jersey.

Mr. Russo told the Select Committee that heroin abuse was so prevalent that the abuse rate in Jersey City, New Jersey, surpassed every one of the 21 largest cities in the country.

AIDS, acquired immune deficiency syndrome, is one of the greatest public health problems in New Jersey, which ranks fourth nationally in the number of AIDS cases and first nationally in the number of drug-related AIDS cases. Nearly 60 percent of AIDS cases in New Jersey are drug-related, compared to a national average of 20 to 25 percent. Sixty-two percent of the AIDS cases are found among minority populations, 50 percent among Blacks, 12 percent among Hispanics. Only 38 percent of the cases are in nonminority communities.

Mr. Russo told the Select Committee of one treatment program in northern New Jersey. Over 50 percent of the clients in this program have tested positive for the AIDS virus. The program has an AIDS mortality rate of about one client every other week. To make matters even worse, Mr. Russo said continued cutbacks in resources have hampered the treatment community's ability to respond adequately to the problem;

> In New Jersey alone, we estimate about 150,000 people today are in need of drug treatment. And we roughly touch about 13,000. . . . About 60 percent of these 150,000 people are serious heroin abusers; 40 percent abuse cocaine along with perhaps heroin . . . we see no hope of

> being able to expand the treatment system in the near future to respond to this increasing problem.

In concluding, Mr. Russo commented on the lack of Federal leadership in the areas of law enforcement, education and treatment. He observed that Gramm-Rudman, while reducing funding, is also providing an excuse for inaction. While acknowledging the importance of funding, Russo called for a national policy strategy toward prevention, and a community response to the problem.

George Hicks, Executive Director of New Well Rehabilitation Center of Newark, New Jersey, testified that repeated funding cuts over the past several years had dramatically reduced the capacity to conduct effective prevention education programs for young people before they reach 15 or 16 years of age, the point at which inner city youth experience the greatest peer pressure to indulge in negative activities. Mr. Hicks told the Committee that cocaine, cocaine derivatives and "hit", a combination of two different drugs each of which sometimes produce opposite effects, easily rival heroin among young people under 21. He has encountered scores of multi-drug abusers in the schools and in community centers. These youths are simultaneously using cocaine, hits, alcohol and marijuana. Marijuana and heroin remain the drugs of choice, however, among people over the age of 21.

Mr. Hicks said that New Well has developed a program for middle level managers at a major corporation headquartered in Newark. This program is designed to assist managers in identifying and coping with the drug abuser in the workplace. He is opposed to blanket drug testing, but does feel that it can serve as an effective tool for confirming suspected drug abuse and treating the abuser.

In conclusion, Mr. Hicks stressed the need for the Federal Government to reassess its role in the fight for control of drug trafficking and abuse. He called for Federal money to support treatment and prevention programs, reminding the Members that Congress would not attempt to wage a war without sufficient funding. Mr. Hicks told them that the war against drugs should be treated in a similar manner.

David Kerr, Director of Integrity House, Inc., of Newark testified that six people in his treatment program have died from AIDS. In a recent test for AIDS, 20 out of 70 people in the program tested positive for HTLV-III. Among the program's AIDS casualties was a female staff member. Mr. Kerr told the Select Committee that the treatment community is in dire need of Federal financial assistance. Waiting lists for Integrity House are over two months long. The program currently is funded to treat 170 residents and 130 outpatients, but could easily treat double or triple that number with adequate funding and personnel. Gramm-Rudman is hitting the lower middle and lower socioeconomic class especially hard in terms of availability of treatment. Mr. Kerr suggested that consideration be given to the Asset Forfeiture Fund to finance treatment and prevention programs.

Father Norman O'Connor, Director of Straight and Narrow, Inc., in Paterson, New Jersey, said that his program has treated over 40,000 people for a variety of drug and alcohol problems since its founding in 1954. Most of the program's patients are indigent, many are court referred. The program's waiting list is filled.

Father O'Connor cited a severe moral problem as a contributing factor to this nation's drug problem. He advocated drug testing for everybody as an ongoing policy. He suggested that such a widescale testing would reduce drug abuse because of a fear of being identified as a drug user. Father O'Connor expressed frustration with the Roman Catholic Church and the Federal Government for the failure to face the problem squarely.

Mr. Thomas Taylor, President of the Jersey City Chapter of the NAACP, told the Members of the Committee about a 1985 incident which illustrated the extent of the drug abuse problem. There had been 65 openings in the Jersey City Police Department. Through the combined efforts of the NAACP and the Police Department, 22 Black males had been recruited among the top 50 applicants. Of the 22 Black candidates, only one was actually appointed. A few were turned down due to prior records and/or physical/medical problems. The majority were determined, through drug testing, to have used illicit drugs.

The Jersey City NAACP is making drug control a priority. It is pushing for a resolution against drug trafficking and abuse at the next national convention. Mr. Taylor stressed the importance for civil rights organizations, churches, and school districts across the country to actively participate in drug education and prevention programs.

Mr. James Wasser, counselor and teacher in the Bayonne Public Schools, said that we cannot keep drugs out of the country. He sees 5th and 6th grade children experimenting first with alcohol, then with marijuana, and so on. Times have changed. The age of first drug experience is getting steadily lower (younger). Children, he said, are receiving conflicting messages.

Mr. Wasser suggested that consideration be given to more effective and efficient uses of available funds, and ensuring that currently funded programs are in fact yielding the expected results. Mr. Wasser told the Committee that he, other teachers and 150 students would be going on a two-day retreat to discuss the drug problem. He will ask the students how they as young people can participate in providing a solution. He also mentioned the Statewide Comunity Organization Program (SCOP), formed with the help of the State Division of Alcohol, Narcotic and Drug Abuse. This program brings the clergy, community leaders, students, teachers and law enforcement people to sit on planning teams to design drug prevention projects for implementation in communities.

Mr. Wasser noted that the number of children being enrolled in special education programs is steadily increasing. He suggested that the problem may not be due to an inability to read or write, but rather the amount of drugs these children are putting into their bodies. He suggested that teacher training, peer counseling and support programs, and strong school district anti-drug policies be implemented.

Patricia Joyner, Director of Drug Education Programs for the Newark Board of Education, testified that the Board of Education has conducted a comprehensive drug education and prevention program for grades K through 12 since 1970. The State of New Jersey, in 1972, mandated a drug education program at the secondary education level. Newark has 12 drug educators who service over 80 schools in Newark. Staffing is inadequate.

Ms. Joyner noted a growing problem of drug abuse in the elementary schools. She stated that parents are much younger, many of them are using and or selling drugs, and are even involving their children in drug dealing activities. Consequently, by the time some children enter school, they have already been introduced to the drug culture.

The Newark Board of Education selected a group of teachers to go to Rutgers University to be trained in drug education. Faculty workshops and in-service training are conducted on a regular basis for all faculty members. Some teachers refuse to participate. Monthly workshops are conducted for parents to alert them to the dangers of drug abuse. Guest speakers are brought in to discuss various aspects of drug abuse. Typically, those parents most in need of such workshops do not attend.

Student peer leadership groups have been formed in each high school consisting of ten students who are trained in peer counseling techniques. Ms. Joyner made the following recommendations:

1. Drug educators must be placed in each elementary and secondary school.
2. Attention must be addressed to reasons for drug abuse by young people.
3. There should be mandatory teacher drug training.
4. Comprehensive alternative programs should be developed offering youngsters a variety of cultural and performing arts programs.

Drugs in the Workplace, May 7, 1986

Witnesses:

Peter Ueberroth, Commissioner of Baseball

Dr. Charles Schuster, Director, National Institute on Drug Abuse

E.A. Weihenmayer, Vice President for Human Resources, Kidder, Peabody & Co.

Peter Bensinger, Bensinger, DuPont and Associates

John H. Reily, Administrator, Federal Railway Administration

Charles E. Weithoner, Associate Administrator for Resource Management, Federal Aviation Administration

James M. Taylor, Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission

Carmen L. Thorne, Manager, Medical, Testing and Employee Assistance, Washington Metropolitan Area Transit Authority

Robert T. Angarola, Esq.

Paul N. Samuels, Esq., The Legal Action Center

Dr. Douglas Rollins, Director, Center for Human Toxicology, University of Utah

James Mahoney, The Assistance Program, AFL-CIO Council of Philadelphia

Paul J. Mulloy, Quatro Associates

This hearing was called to assess the nature and extent of drug abuse in the workplace and the issue of drug testing through urinalysis as a method of controlling drug use in the workforce.

In a 1983 study the Research Triangle Institute (RTI) estimated that drug abuse caused $33 billion in lost productivity in the American workplace. In addition drug abuse on the job has caused the expense of billions of dollars in additional health care costs. According to a study by the AFL-CIO Council of Philadelphia and Blue Cross of Greater Philadelphia showed that substance abusers consume medical care at a rate 11 times that of non-abusers.

The economic costs of drug abuse extends beyond the job site. Taxes are affected by public expenditures on the problem. A report by the Department of Health and Human Services showed economic losses in Pennsylvania related to substance abuse totaled $6.4 billion in 1984. The report also stated that 28 percent of the property and casualty claims in the state, and 44 percent of arson cases in Pennsylvania were related to substance abuse.

While data on the extent of drug abuse in the workplace is limited, available data does suggest a serious employee drug abuse problem. A random sample of 227 callers to the 800-COCAINE National Helpline in February-March, 1985 disclosed the following:

75 percent said they had used drugs on the job.

64 percent said drug use hindered their work performance.

25 percent reported daily drug use at work.

64 percent said easy access to drugs at work increase use

44 percent said they had dealt drugs to co-workers.

39 percent said they feared a salary increase would increase their drug consumption.

A 1982 survey conducted by the New York State Division of Substance Abuse services concluded that on Wall Street, "Drugs were dealt as freely as stocks and bonds". Marijuana was identified as the drug most frequently purchased followed by cocaine, pills, and heroin. Drug purchasers were equally divided between men and women; 40 percent of the men were described as middle management; 95 percent of the women were described as clerical; and 65 percent of the buyers wre described as white.

The first witness at the hearing was the Commissioner of Baseball, Peter Ueberroth. He called for making the "war on drugs"; a national priority. Ueberroth said that he could not understand how our nation could take aggressive action against terrorism in Libya, yet fail to take strong actions against drug terrorists in producer nations, and drug dealing terrorists at home.

Ueberroth stated in the past six months the drug abuse situation in America had changed dramatically. He indicated the quality and availability of illegal drugs had increased. He specifically mentioned the appearance of Crack cocaine throughout America. The Commissioner called for an intensified effort on all fronts—internationally; at the borders; by government and law enforcement; and most particularly, by the private sector and parents to respond to drug abuse in America.

Ueberroth stated, "The drug issue is not an issue of budget. . . . There is no way government can spend money that will produce a more positive new effect on the budget of this nation than to stop drugs in this country. There is not better investment."

Concerning drug testing Ueberroth stated that ". . . one, it is certainly not a cure all; two, it is an emergency measure; three, everybody shouldn't have to do it." He did state that if testing is done carefully it is accurate, pointing out that hundreds of baseball players in the minor leagues are being tested and that not one ever disputed the accuracy of the test. He cautioned that every safeguard for accuracy must be employed to protect the employee and that confidentiality is essential.

With regard to the major leagues, Commissioner Ueberroth pointed out that the issue of drug testing and drug use is a contractual one between the team management, the team physician and the player. The Commissioner's suspension and fine authority is limited to actions of the players that reflect on the game of baseball. He said the aim of the program, particularly confidentiality between the team doctor and the player, is to prevent any drug use from reaching a serious stage. The Commissioner further stated, "That same doctor may take the individual out of the game . . . if it is medically determined that he has a problem do severe that he can't go forward any longer."

In response to a question by Mr. Guarini, Ueberroth stated that the extent of drug testing in any particular business or industry depends on the nature of the particular business work involved and the knowledge of the extent of drug abuse existing, or the harm to public safety drug use on that job may have.

Dr. Charles Schuster, Director of the National Institute on Director of the National Institute on Drug Abuse (NIDA); Mr. E.A. Weihenmayer, Vice President for Human Resources and the Chairman, Wall Street Personnel Management Association; and Mr. Peter Bensinger, of Bensinger, DuPont and Associates and former Administrator of the Drug Enforcement Administration (DEA) testified as a panel.

Dr. Schuster noted that NIDA sponsored surveys clearly indicate that marijuana and cocaine use are associated with great job instability and increased job absenteeism. He stated, "Although private industry has been somewhat reluctant to discuss drug problems or policies, as well as drug use by their employees, this attitude is changing". Schuster indicated that employers are recognizing the plain fact that they draw their workforce from the population as a whole, drug use in the workforce is a problem that cannot be ignored.

Dr. Schuster said that NIDA has taken a lead role in advocating a role for drug abuse education and prevention programs in the workforce. Concerning testing the NIDA Director said, "Now, I do not believe that drug testing by itself is the solution to controlling the problem of drug abuse, but it can be an extremely useful tool within the context of an overall program or policy that stresses treatment, prevention, and education".

Schuster stated a major concern is the accuracy of drug testing. He said most important is the need to use assay systems which are based on state-of-the-art methods and rigorously controlled procedures are essential. He offered his opinion that if a drug testing laboratory uses well-trained and certified personnel who follow acceptable procedures, then the accuracy of drug tests will be very high. He cautioned though, "With the growing use of urine analysis, some type of guidelines for proper use are essential imposed by the urine analysis industry itself or by Federal or state regulation." Schuster said that NIDA was in the process of preparing a monograph on urine testing guidelines.

Mr. Weihenmayer spoke about drug abuse in the workforce from the perspective of Wall Street. He told the committee of incidents involving drug abuse at his brokerage. In one, an employee of his brokerage skimmed $10,000 from the account of an elderaly client to support her drug habit. In another case a multi-million bond theft occurrred by an individual at the firm to support his habit.

Weihenmayer stated that Wall Street does not have any less of a drug problem than the nation as a whole. In fact, he said, "If you were to walk around on Wall Street, you would be amazed at the accessibility of drugs". In response to the ever growing problem of drug abuse in the securities industry, Weihenmayer testified that many securities firms have established drug abuse programs. The Kidder. Peabody program consists of five points:

(1) A written policy distributed to all employees spelling out that having controlled substances in your system without medical authorization is against company policy.

(2) All new employees must sign an acknowledgment of the company policy.

(3) All new employees in the New York area are subject to urine analysis on the first day of work. All positive results are sent for confirmatory tests. Most of those whose confirmatory tests are positive are not continued in employment. Those that are must pledge to discontinue drug use and agree to be tested at any time within the next six months.

(4) All managers and supervisors receive training on drug abuse issues.

(5) An Employee Assistance Plan (EAP) is available to help employees overcome their drug problems.

Mr. Weihenmayer concluded by stating that Kidder, Peabody was exploring drug testing for all current employees. In making that decision they were attempting to balance the rights of their employees against the need to guarantee financial safety of their clients.

Peter Bensinger, former Administrator of DEA and presently a corporate drug abuse consultant, was the next witness. He said that the issue of drug testing in the workplace must be "discussed, floored, debated, decided". Bensinger indicated that drug testing in the workplace could be useful in many circumstances, and just not when safety is involved. He cited on the-job behavior and accidents as times when testing would be appropriate.

Mr. Bensinger stated that testing "is not a panacea or a magic wand", but "needs to be complemented by education for all employees, by a written policy, by supervisory training." He also said that EPA's are an essential part of any testing program. Mr. Weihenmayer concurred, adding that the object of testing should be rehabilitation, not immediate firing.

In response to a question from Mr. Guarini, Mr. Weihenmayer stated that testing should not be mandated for industry on a national basis, but ". . . companies should feel they are on solid ground to take actions which they deem necessary to keep their environments drug free." Weihenmayer called for Congressional guidance in answering some of the questions regarding the use of random drug testing in the workplace.

Mr. Bensinger added that he believed that "unannounced, periodic testing is perhaps the best deterrent to reduce and drive down drug abuse in industry." He added that the 1979 Occupational Safety and Health Administration (OSHA) guidelines requires employers to provide a safe work environment, and that would include a drug-free workplace.

The next panel included representatives of regulatory agencies who described the programs of their agencies to control drug abuse in their particular industries.

John H. Riley, Administrator of the Federal Railway Administration (FRA) stated that drug and alcohol use in the railway industry was the largest cause of employee fatalities. Recognizing that fact the FRA issued a rule in February, 1986, governing drug and alcohol abuse by railroad employees. In addition to the rule, the FRA, in conjunction with railway management and labor unions, put together a voluntary drug abuse programs for railway employees called "Operation Red Block".

The FRA rule has six provisions:

(1) No consumption of alcohol or drugs in the railway workplace.

(2) Railroads are required to make inquiry in every accident as to the presence of alcohol or drugs and report the findings to the FRA.

(3) Mandatory post-accident testing in the 150 worst accidents a year.

(4) Mandatory pre-employment drug screening for new railway employees.

(5) Reasonable cause testing authority given to the railway industry.

(6) The availability of an employee assistance program.

James H. Taylor, Director of the Office of Inspection and Enforcement for the Nuclear Regulatory Commission (NRC), stated that in 1982, the NRC proposed a rule to govern drug and alcohol use by employees of nuclear power plant operators. In 1984, in conjunction with the Commission's final deliberations on this rulemaking, the nuclear industry, as an alternative to the NRC mandating a formal rule, proposed an industry-sponsored program of self-regulation which would be endorsed by the NRC.

The industry proposed the development of a comprehensive set of standards to insure that nuclear plant personnel were in fact fit for duty. Policing of the standards would be conducted by the Institute on Nuclear Power Operators (INPO) through periodic evaluations at the plants. In August, 1985, the industry published a comprehensive set of guidelines.

The guidelines encourage the development of a strong company policy regarding drug-use in the work environment. The guidelines advocate behavioral observation by properly trained supervisors, testing when necessary for both cause and pre-employment, and the implementation of an employee assistance plan.

Charles E. Weithoner, Associate Administrator for Human Resource Management of the Federal Aviation Administration (FAA) described the efforts of his agency to control drug abuse by FAA employees. The FAA's comprehensive policy is remedial in nature. When there is evidence that an FAA employee with direct aviation safety responsibilities is involved in illegal drug use while on duty, he is separated from the FAA.

In cases where there is credible evidence that of off-duty substance abuse by an FAA employee, he will be immediately relieved of all aviation-safety duties and temporarily assigned to other responsibilities. That employee will be offered the opportunity to enter into an appropriate treatment program. Refusal to do so will result in separation. Once an employee is enrolled in a program, return to safety duties will be contingent on FAA medical clearance. After successful completion of rehabilitation, the employee will be subject to random drug screening. Any recurrence of illegal drug use will result in immediate removal of the employee by the FAA.

Weithoner also pointed out that all safety personnel will be subject to drug testing as part of their annual physical.

Concerning private and commercial pilots, Mr. Weithoner stated that the FAA has not yet prescribed any testing program, although is continuing to assess that area. He noted that existing FAA regulation prohibit the use of illegal drugs by airmen and flight crews. The FAA also requires comprehensive medical examinations every six months by airline pilots.

Carmen Thorne, Manager for Medical, Testing and Employee Assistance for the Washington Metropolitan Area Transportation Authority (WMATA) stated that in April, 1984, WMATA and the transit union began formal negotiations regarding the entire drug and alcohol problem, particularly the type of discipline to be imposed following positive findings for drugs in post-incident medical examinations. In November, 1984, WMATA and the union signed a negotiated substance abuse and employee assistance program.

Under the program employees with chemical dependency problems are encouraged to use the employee assistance plan to seek treatment. Employees caught selling or using drugs on the job are fired without recourse. Employees found with drugs in their system are given the opportunity to obtain treatment in order to save their jobs.

The last panel specifically addressed the issue of drug testing in the workplace.

Robert T. Angarola, a Washington attorney and former general counsel of the White House Office Drug Abuse Policy, said that the aim of drug testing in the workplace should be to assure that the "workplace is healthier, is safer, and that productivity is at a high a level as possible." He indicated that employers must ask themselves two important questions before implementing a testing program: why do you want to test your employees; what are you going to do with the results. The answers to those questions, according to Angarola, will determine the legality of a testing program.

Mr. Angarola said that an employer who uses drug testing should have a detailed, written company policy which informs employees and prospective employees what the testing program is about and its objective. Such a policy must be uniformly and consistently applied. In his view the ultimate test of any drug screening program will be its reasonableness. A major issue employers must assure in the implementation of their testing program is the accuracy and reliability of the test itself.

Paul Samuels of the Legal Action Center in New York told the committee that in developing drug testing programs in the workplace "workers should be given the opportunity to obtain treatment and allowed to continue to work or return to work when able to perform the duties of a position in a safe and reasonable manner".

Mr. Samuels also addressed the accuracy of test procedures. He stated that it is important to have any positive test result confined by a second, more thorough test. He recommended that the gas chromatography/mass spectrometry, the most accurate testing method available, to be used as the confirmatory test. Samuels further pointed out that many drug testing labs have high rates of inaccuracy.

Addressing the issue of what can employers do with positive test results, Samuels offered his opinion that an employer can only take disciplinary actions against an employee with a drug abuse problem if that problem is job-related. He cautioned that test results must remain confidential and used with the objective of getting an abusing employee into a treatment program.

Dr. Douglas E. Rollins, Director of the Center for Human Toxicology at the University of Utah, stated that while the technology for accurate testing exists many labs are not performing this important job properly. He told the committee that there are no requirements for drug testing laboratory certification except by the Department of Defense (DoD) and that only two civilian labs are now DoD certified. He also pointed out that most labs are not capable of performing sophisticated confirmatory tests, and no quality control procedures are in place for drug testing labs.

He pointed out that there are five major components of sound laboratory analysis of urine for drug abuse:

(1) Strict chain of custody standards must be followed for urine specimens.

(2) An immunoassay test must be performed.

(3) A gas chromatography/mass spectrometry confirmatory test must be performed on all immunoassay test positives.

(4) Internal and external blind quality control programs must be put in place.

(5) A certification procedure of the above 4 components and technical personnel should be in place.

James Mahoney of the Philadelphia AFL-CIO Council told the committee that the answer to drug abuse in the workplace is not urine testing but good employee assistance programs. Drawing on his own experience with The Assistance Plan in Philadelphia, he said that effective EAP's have good outreach and education components. Mahoney added that it is imperative for supervisors to be able to recognize employees with substance abuse problems and be able to send fellow employees to treatment "in a fraternal way".

Mahoney strongly urged on the committee the fact that if good employee assistance is offered it will be utilized and that it was a preferable method to overcome drug abuse in the workplace than testing.

Admiral Mulloy concluded the testimony by stating, "Designed sensitively with people in mind, the urinalysis program should be used not alone, but with a full range of programs such as extensive education and helping hand programs that must go with them. The policy for use should be firm, should be fair, should be reasonably and clearly communicated".

Narcotics interdiction and enforcement efforts in south Florida (May 16, 1986)

Witnesses:

The Honorable Bob Graham, Governor, State of Florida

The Honorable Robert Dempsey, Commissioner, Florida Department of Law Enforcement

Janet Reno, States Attorney, Dade County, Florida

Jeffrey Silbert, Dade-Miami Criminal Justice Council, Metropolitan Dade County, accompanied by Sergio Pereira, Dade County Manager

Clarence Dickson, Chief of Police, City of Miami

Nick Navarro, Sheriff, Broward County, Florida

May Waters, Health Education Consultant, Florida Department of Education (representative of the State Education Commissioner)

William M. Stokes, Chairman, Miami Citizens Against Crime, accompanied by Van T. Edsall, Executive Director

The Honorable Leon B. Kellner, United States Attorney, Southern District of Florida

Peter F. Gruden, Special Agent in Charge, Miami Field Division, Drug Enforcement Administration

Joseph V. Corless, Special Agent in Charge, Miami Division, Federal Bureau of Investigation

Rear Admiral Richard P. Cueroni, Commander, Seventh Coast Guard District, Coordinator, Vice President's Task Force, Southeast NNBIS Region

Edward F. Kwas, Southeast Regional Commissioner of Customs, United States Customs Service

Darrell G. Smith, Chief, Criminal Investigation Division, Atlanta Region, Internal Revenue Service

Edward D. Conroy, Special Agent in Charge, Miami District Office, Bureau of Alcohol, Tobacco, and Firearms

On May 16, 1986, the Select Committee on Narcotics Abuse and Control held a hearing in Miami, Florida. The hearing was held at the request of Florida Representatives Claude Pepper, Dante Fascell, and Lawrence J. Smith, each of whom expressed concern over the persistent problems associated with drug trafficking and abuse in South Florida, despite concentrated Federal efforts to combat it.

Chairman Rangel opened the hearing by stating "We are here because this part of our country has been hit, and hit hard with the drug epidemic, drug trafficking that has swept our country, and indeed the world. . . . We are here to provide an oversight to see how successful this operation has been in Florida, since all of our reports appear to indicate that notwithstanding the success of the program, that more cocaine, more marijuana, and more heroin has been pouring into the State of Florida, as it has been pouring into the United States."

Additionally, Mr. Rangel stated his concern that more drugs than ever before in our history are affecting our country and that law enforcement agencies claim that even if they had all the resources they desire and need it still would not be sufficient.

Congessman Pepper decried the increase in the crime rate in Miami and in particular the crime rate increase that is directly attributed to drug trafficking and traffickers. Mr. Pepper also stated that the drug issue ". . . it seems to me, of our national security, and your great Committee, Mr. Chairman, is the most vocal and most effective voice I know that is emphasizing to the Congress and to the country the problem that we have to face".

Congressman Pepper had ten recommendations: (1) a minimum mandatory bail on all persons charged with the serious drug offense in the amount of $250,000, plus the value of the drugs in the offense; (2) a requirement of a judge to deny release on bail to any person charged with a narcotic offense who (a) has previously been convicted of a felony offense; (b) is on parole; (c) is an illegal alien; (d) was arrested in possession of a false passport or; (e) has been convicted of being a fugitive from justice. (3) prohibit the granting of a suspended or probationary sentence for persons convicted of importing or exporting controlled substances, or manufacturing or distributing a controlled substance. (4) amend the Federal Criminal Code to provide that the proceeds from Federal drug forfeiture, bail and fines imposed on offenders to be transferred to a trust fund administered by the Drug Enforcement Administration. (5) allow reimbursements to State and local law enforcement authorities for costs incurred while conducting drug cases. (6) increase the number of U.S. Attorneys. (7) permit U.S. Customs to participate in the gathering of foreign intelligence. (8) allow the Customs Service to perform investigative, intelligence, and law enforcement functions within this country, beyond the borders and ports of entry. (9) significantly expand the use of the Customs Canine enforcement teams to search for drugs at points of entry. (10) increase the funding for education and treatment.

Mr. Gilman expressed his concern over the ready availability of drugs, and the decline in prices. Mr. Gilman stated "It is obvious that the successes we have achieved through increased enforcement actions have not stopped the drug traffickers."

Congressman Smith stated that "We need to fight on a number of levels not yet put together." He also commented "If we took just three-tenths of one percent, three tenths of one percent of the defense budget and directed it to drug interdiction, enforcement and education efforts, we would be doing five times more than we are doing now at the whole Federal level, five times. . . . because there really is a war against drugs." Last, Mr. Smith stated "a coordinated effort plugging in all the assets from all the agencies really works, but is costly, and we need the military all the time, not just from exercise to exercise."

A number of themes emerged from the four panels held during the hearing. Governor Bob Graham cited the current anti-drug efforts as ". . . fact is that we are at war." U.S. Attorney for the Southern District of Florida, Mr. Leon Kellner stated "Illicit drug use is . . . the most serious social as well as law enforcement problem facing the United States. Sheriff Nick Navarro of Broward

County, Florida, commented "The solution is a reflection that we see in the mirrors, and that is what we have to continue to work toward, to make this a better society . . . We are destroying ourselves. No one is forcing anyone to consume any of these substances. We are doing it because we have the superman syndrome, 'I can control the substance.' " As long as we continue to feel that way, there will always be consumption.

Every panelist mentioned the acute need for demand reduction relative to drugs. Drug education was also identified as a principal need in the various school systems. The major concern at school systems was that demand reduction programs should not, however, take the place of continued dedicated law enforcement efforts.

One of the critical areas cited by the Governor and the Federal panel members was the need to augment the current complement of judges and assistant U.S. attorneys. The problem exists that even if more cases are sent forward to judges for prosecution, the judicial system is already heavily laden with backlog cases. Mr. Gruden of DEA commented "the big hang-up I have right now . . . we need more assistant U.S. attorneys, more judges. It does me little good to add 10, 20, 50 agents to my staff, to go out and conduct the investigations, if I cannot get them prosecuted through the system. The hang-up is a lack of assistant U.S. Attorneys and enough judges . . ."

Another overwhelming consensus among the Federal panel members and the Governor was the need to increase jail capacity. Janet Reno the State's Attorney said "I would like to have a slogan that says, "If you get busted for sale, you go to jail", but that is not going to be possible . . . because the Dade County jail is about to have a new cap put on it by the Federal Courts." Jail overcrowding is not affecting dispositions, but it is affecting sentencing. Governor Graham commented, "They are very stretched in jail capacity at the local level, and in prison capacity at the state level . . ."

One very high visibility program in anti-drug efforts, the Vice Presidents' South Florida Task Force, elicited divergent opinions regarding the effectiveness of that particular endeavor. Mr. Kellner stated: "I think there is a perceptible difference between what was going on in South Florida in 1981 with the cocaine cowboys, with murders in shopping centers, with wholesale disregard of the Bank Secrecy Act . . ."

The Chairman countered that there has been "larger tonnage . . . of cocaine on the streets of Florida as well as throughout the United States . . . more murders since 1982, more violent crimes." Governor Graham cited figures contrary to Mr. Kellner's remarks. Mr. Graham said ". . . crime has been increasing along with the drugs . . . robberies, corruption, drug laboratories, jail overcrowding, broken dreams, ruined lives."

Two other issues raised during the hearing pertained to crime and asset forfeiture statistics and military involvement in narcotics interdiction. Clearly, crime statistics are soaring as it relates to narcotics trafficking. Governor Graham believes that Florida produced a double-digit increase in crime statistics, and according to local officials, 50–70 percent of all street crimes are directly attributable to illegal drugs. All of the panelists agreed that there is a causal relationship between drug trafficking and violent crimes that occur as a result of narcotic activity.

In terms of drug related asset seizures, Mr. Gruden of DEA reported that the DEA seized over $47 million in assets. Mr. Kellner reported that pending forfeiture cases in the Southern Florida area involve $50 million in cash and other assets. Mr. Smith of IRS, said that nationwide, the Internal Revenue Service's Criminal Investigation Division has levied over $400 million in jeopardy and termination assessments.

As it pertained to military involvement in anti-drug efforts, the majority opinion was that the military can and should play a vital role in these activities. The military has technical and intelligence resources that can be applied in a variety of ways. Governor Graham states, "The security of our county is threatened. We cannot talk about national defense without talking about defending our own borders." The governor also suggested that the Select Committee send a letter to Defense Secretary Weinberger asking for a specific program to defend the borders of the United States. The Chairman did so on the Committee's return to Washington after the hearing.

The minority dissenter to these interdiction efforts currently under way was Janet Reno who said: "If you can't do it effectively and if you waste money doing it, you should not do it . . . the issue is, are we wasting money . . . in an ineffective effort?" Committee Members responded that the same argument could be made for all enforcement strategies, including prosecutions, that do not result in a reduction in the availability of drugs on the street.

The hearing concluded with the Chairman expressing his pleasure with the depth of issues covered. He also echoed the sentiments of his colleagues that he and they would be returning to Washington to follow up on the input received at the hearing. Finally, he solicited continued input and suggestions from everyone involved in the anti-drug war and he also congratulated all participants for their diligent efforts.

Drug abuse education (May 20 and 21)

On Tuesday and Wednesday, May 20–21, 1986, the Select Committee on Narcotics held hearings to examine current Federal drug abuse education efforts.

Witnesses on Tuesday, May 20, 1986:
- The Honorable Jim Wright, House Majority Leader; and
- The Honorable William J. Bennett, Secretary of Education, U.S. Department of Education, accompanied by
  - Mr. Gary L. Bauer, Undersecretary of Education, U.S. Department of Education

Witnesses on Wednesday, May 21, 1986:
- The Reverend Jesse Jackson, Founder, Push for Excellence, accompanied by
  - Miss Sharon Robinson, Director, Push for Excellence

Chairman Rangel stated in opening the hearing that education alone is not the answer to drug abuse and drug trafficking. We need to improve our eradication and enforcement efforts as well. But it is time we recognized that drug abuse prevention and education must be an integral part of any solution to the drug problem threatening our Nation, Rangel added.

"We should be taking immediate action to educate our children to resist the massive onslaught of drugs flooding our communities. In our hearings, however, we have been unable to discern an effective Federal presence to aid States and local schools in developing effective drug education programs," Chairman Rangel said.

Congressman Benjamin A. Gilman, the Ranking Minority Member of the Select Committee, stated, despite the need for increased educational resources, we find that only a small portion of the Federal anti-narcotics budget is earmarked for education. We nave poured hundreds of millions of dollars into enforcement and interdiction and find that the drug problem is getting worse, not better. Clearly increased funding support for drug education programs in our schools is essential.

Some figures help to indicate the scope of the problem. Out of a budget of nearly $18 billion the United States Department of Education spent in FY 1986 only $3 million on drug abuse education programs. Total Federal spending on anti-drug programs in FY 1986 amounted to approximately $1.7 billion to combat a drug industry with an annual volume of sales of $120 billion, with an additional $100 billion in associated costs in health-care, criminal justice, and lost productivity because of accidents and absenteeism.

The Members of the Select Committee were pleased that House Majority Leader Jim Wright was able to testify at these hearings. His presence at the hearings was an indication of how seriously the Congressional leadership views the problem of drug abuse. In fact, he pledged his whole-hearted cooperation in combating drug abuse.

Majority Leader Wright stated, . . . "we must create a climate in which the badge of courage and password of social peer acceptability is to say "no" to drugs. It is time—indeed past time—for the Congress and the country to declare all-out war on illegal drugs. Many things need to be done. Let me concentrate on just three. We need a frontal attack on drugs in three key areas—Eradication, Enforcement, and Education."

Majority Leader Wright mentioned the positive role that peer pressure and a public education program could play in discouraging people from using drugs. He called anti-drug education our best hope against drugs, and said what was needed was a change in public attitude regarding the acceptability of using drugs comparable to the changes in the public's attitude regarding the health risks of smoking and the dangers of drinking and driving. He suggested that a high-level national commission on drug abuse could help to create a national consensus on the need for a multi-faceted war on drugs.

Secretary of Education William Bennett said, in the 1986 fiscal year the Federal Government will spend $1.7 billion to support anti-drug programs. In addition, the Federal Government provides $300 million to State-administered alcohol and drug programs. A large new infusion of Federal money is not the way to deal with the problem of school age drug abuse Bennett advised, but what is crucial is community support.

Secretary Bennett advocated a policy of "zero tolerance" for drug users and sellers in schools and universities, and kicking people who sell or use drugs out of schools. He said this will send a very powerful message to the other students attending school. "What we want at the Department of Education is to get drugs out of school—right now, no ifs, ands, or buts. We think it is critical to get them out", Bennett added.

Secretary Bennett testified that according to a Gallup Poll 80 percent of our teenagers say the laws against drug use and distribution are not strict enough. Forty percent of teenagers said that drugs are the most serious problem facing them.

In his testimony Secretary Bennett cited Joe Clark, principal of Eastside High School in Paterson, New Jersey, and Bill Rudolph, principal of Northside High School in Atlanta, Georgia, as examples of two educators who successfully instituted anti-drug programs in their schools. Joe Clark had a meeting with parents to obtain their support and issued students a list of 19 infractions which would bring immediate suspension from school. Bill Rudolph told parents: If I catch your child with drugs, I will make two telephone calls. The second one will be to you.

Committee members expressed concern that Secretary Bennett could not identify specific educational programs which had been proven effective in discouraging students from using drugs. He said that the Department of Education was in the process of evaluating anti-drug abuse strategies, and that a booklet containing these strategies would be published in the summer of 1986, to be entitled, "What Works: Schools Without Drugs."

The members also took issue with Secretary Bennett in his opposition to increased Federal support for school-based drug education programs.

Strategies advocated by Secretary Bennett to curb drug abuse included, identifying the most effective drug abuse curriculum, consider withholding Federal funds from school districts that do not have an effective drug abuse education program in place, and meeting with representatives of the movie industry to ask them to deglamorize drug use.

The next morning, prior to testifying, Reverend Jesse Jackson showed a short tape of an appearance he made at a school to discourage students from using drugs. Reverend Jesse Jackson testified, the extent of drug use in America is a national disaster. And the sale and use of illegal drugs in our schools has created a state of emergency. "Our young people must reject drugs and alcohol with their minds and their values. Anything short of that will fail," Jackson said.

Jackson noted while the government rightfully has the responsibility for stopping the *supply* of drugs from coming across our borders, the ultimate answer to the drug problem is to dry up the *demand.* "My argument to students is that drugs are physically destructive, life-threatening, and will kill you. But to my dismay, too many students are unclear about the consequences of drug use. In discussions with students, it is my conclusion that for many young people, neither their minds, nor their values reject drugs," Reverend Jackson said.

Jackson said that Secretary Bennett's solution of expelling drug users only makes the situation of the street worse and jails more dangerous. Our schools are not prepared to handle students who are using drugs. Members of the Select Committee agreed with Rev. Jackson and expressed concern about a policy of expelling students who use drugs from school with no programs in place to treat their addictions.

Chairman Rangel noted he felt that teachers have focused adequate attention on the issue of drugs. Reverend Jackson told Members of the Select Committee that in his travels across America visiting several different schools to speak against using and selling drugs, he had not found any programs worthy of his support. "I have not seen one school with a program adequately funded and teachers properly trained," he added.

Congressman Towns was concerned because many police departments had more effective drug education programs, than do our schools. Congressman Parris praised Reverend Jackson for his service to the youth of America, but said, many of us have come to the reluctant conclusion that public authority is incapable of interdicting the supply of drugs.

While the hearings revealed that Secretary of Education Bennett is aware of the seriousness of the problem, the Federal response put forth to date to deal with drug abuse in schools has not been satisfactory. Three million dollars is inadequate to fund drug abuse education programs on a national basis. Moreover, the Department of Education had not at the time of the hearings, even completed identifying those anti-drug abuse programs which were effective in reducing student drug use.

The Panama drug connection (June 19, 1986)

Witnesses:

James H. Michel, Principal Deputy Assistant Secretary, Bureau of Inter-American Affairs, Department of State

Jerrold Mark Dion, Deputy Assistant Secretary for International Narcotics Matters, Department of State

David D. Queen, Deputy Assistant Secretary for Enforcement, Department of the Treasury

Thomas V. Cash, Deputy Assistant Administrator, Operations Division, Drug Enforcement Administration

On June 19, 1986, the Select Committee on Narcotics Abuse and Control held both closed briefings for members of the Committee and an open hearing to examine recently published allegations of extensive involvement by the Army Commander of Panama, General Manuel Antonio Noriega, in narcotics trafficking to the United States and money laundering.

Prior to the open hearing, Select Committee members were briefed in closed session by representatives of the Central Intelligence Agency (CIA) and the Defense Intelligence Agency (DIA). Because the briefings were held in closed session the information obtained by the Committee cannot be disclosed in this report.

Charges have existed for many years that the Panama Defense Force, through its influential officers, were selling protection to regional drug traffickers and helping them to launder their money through some of the country's more than 125 secretive banks. On June 12, 1986 the *New York Times* published a major article outlining numerous allegations against the Army Commander of Panama, General Manuel Antonio Noriega in narcotics trafficking and money laundering. The following day, the *Washington Post* published a similar article. In view of the nature of these allegations, and the timing of the two articles, the hearing was called in order to determine if the charge were true; what the United States Government intended to do about the situation if they were true; and why this particular time was chosen to publish the allegations.

Among the major allegations were:

(1) General Noriega was running the most significant drug running operation in Panama. He did so by operating through a small band of associates in the military.

(2) On reviewing National Security Agency (NSA) intercepts, it was reported that General Noriega's name appeared "over and over" in connection with specific dates, places and contacts in connection with drug trafficking and money laundering.

(3) General Noriega was directly implicated in the murder of Dr. Hugo Spadafora, a former Panamanian deputy minister of health, who had repeatedly attacked General Noriega in the Panamanian press for drug trafficking.

(4) Operating through a small band of top associates in the military, General Noriega maintains tight control of drug trafficking and money laundering activities. Specifically, General Noriega is reported to have a substantial interest in a bank in Colon, Panama, Free Zone, which is heavily involved in laundering money for the M-19, an anti-government terrorist group in Colombia, as well as for narcotics dealers.

(5) According to the State Department, White House and Pentagon sources, there has been long-standing evidence among intelligence officials of General Noriega's activities including his willingness to sell arms to the M-19 (pro Cuban) rebel group in Colombia.

(6) General Noriega is a secret investor in Panamanian export companies that sell retricted American technology to Cuba and East European countries. In addition secret intelligence reports compiled by the CIA link General Noriega with Cuban intelligence personnel, as well as with smuggling drugs and weapons and money laundering.

In his opening remarks Chairman Rangel set the tone for the hearing by stating that the Select Committee was interested in finding out whether or not there was any evidence to support these allegations; what the United States was going to do to reevaluate our policy toward Panama if the charges were true; and, if the Administration was aware of this situation for some time, why it chose the present time to have the information made public througth the press.

In response, James H. Michel, Deputy Assistant Secretary of State for Inter-American Affairs stated that the recent press reports had not been initiated by the U.S. Government or by the Department of State in particular. As a statement of the official position of the U.S. Government, Mr. Michel read a letter from U.S. Ambassador Davis in Panama addressing the published allegations.

> The United States Government is aware of the articles about Panama that have appeared recently in newspapers in the United States. I do not wish to speculate about the

> allegations themselves. The Government of Panama has issued its observations on the stories' charges. The United States respects the sovereignty of the Government of Panama and intends to continue to work with its duly-elected officials and representatives in pursuit of our shared goals. High on the list of goals is the combatting of narcotics activity in its various forms. In this regard, the Government of Panama and the United States have worked in the past and continue to work closely with President Delvalle and through him with other Panamanian officials with promising results. We are now preparing, for example, to resume talks on a Mutual Legal Assistance Treaty which we hope will lead to concrete measures of particular value in the area of illicit narcotics traffic and the fruits of this criminal activity.

Representative James Scheuer expressed the view that despite these high-sounding pronouncements by our Government, the fact of the matter is that the drug situation is getting worse, and our anti-narcotics efforts in foreign nations, especially in South America, have been a disaster.

Mark Dion, Deputy Assistant Secretray for International Naroctics Matters of the Department of States responded by saying that while the situation in Panama was far from ideal, we have received a significant amount of cooperation from ther Panamanian Government in terms of eradication of their marijuana crop and in increased seizures of drugs. There have been two joint marijuana eradication projects with the United States; in September of 1985, and January of 1986. A third one is planned for July of 1986. It is estimated that as much as one-half of the marijuana crop has been taken out.

Chairman Rangel tied recent Administration pronouncements on Mexico to the release of information on Panama, with particular emphasis on a recent statement by State Department Deputy Spokesperson Charles Redman regarding the level of cooperation we receive in anti-narcotics activities by the Government of Mexico. Chairman Rangel expressed concern over a recent statement by Mr. Redman in support of Customs Commissioner Von Raab's contention that there is a great deal of corruption at the highest levels of the Mexican Government. Mr. Rangel suggested recent Administration criticism of Mexico and the stories about Panama were part of a strategy to discredit those governments for opposing U.S. policy toward Nicaragua. Those testifying were questioned on whether or not they could recall such a statement by Mr. Redman, and if so, how such official pronouncements could aid the United States in dealing with the very serious narcotics problems in that nation. No witness could recall such a specific statement, and all agreed that it was not the official policy of the U.S. Government to plant such stories in the newspapers.

Representative E. Clay Shaw, Jr., expressed great frustration over our antinarcotics efforts in foreign nations because of the continuing escalation of narcotics production and trafficking in those countries. He said that our discussions with these nations must be more open and frank, and that we must be more willing to get tough with nations that fail to cooperate. This would be especially true in Mexico.

Deputy Assistant Secretary Michel assured him that in our closed meetings with the Mexican Government, and with the governments of other countries where illicit narcotics production and traffic occurs, there are open, frank and candid deliberations about the drug problem. He said fact of the matter is that there is an increased willingness on the part of these governments to cooperate with us.

Representative Mike Strang raised his concern that it was highly possible that we were being "set up" by the Government of Panama, because while they may make some token arrests and seizures, the trafficking of drugs through Panama appears to be continuing at a very high level. Consequently there is a need to develop far greater intelligence in order to determine if the charges we have heard are in fact true.

Mr. Michel declined to agree with such an analysis, and asserted that we have extensive cooepration with the Government of Panama in the areas of eradication and interdiction. He went on to say that we must continue our joint efforts on the serious long-term problems that we face in the areas of trafficking and money laundering. While the charges against General Noriega cannot be minimized, he said we must move forward to see if we can achieve better results in Panama through the upcoming negotiations on a Mutual Legal Assistance treaty, increased efforts on the marijuana eradication program, as well as the promotion of increased interdiction and efforts against money laundering. The issue of whether or not we are being "set up" can and will be explored, he said.

Representative John Conyers, Chairman of the House Judiciary Subcommittee on Criminal Justice, and a frequent participant in Select Committee hearings, attempted to ascertain information on why the reports on Panama had been published at this particular time. In response, witnesses stated that no one in the Departments and agencies they represented had been authorized to make such statements, and they did not know of anyone who had. They went on to add that the only way to find such information would be to interview the reporters involved.

Chairman Rangel expressed regret over the continuing escalation of narcotics production and trafficking despite the Administration's continuing claims about increased cooperation. He pointed to the fact that more drugs will pour into the United States during 1986 than ever before in our history. Mr. Michel expressed agreement with both statements, and the Chairman responded that if we were conducting a true war against drugs we would be hearing more from our Secretary of State and Ambassador to the United Nations about the narcotics problem.

The hearing concluded with reference to the National Security Decision Directive (NSDD) signed by President Reagan describing narcotics trafficking as a threat to national security and authorizing increased military support in our interdiction efforts. Chairman Rangel asked how the directive differed from current law in terms of the military support that can be provided to drug enforcement and interdiction efforts. Treasury Deputy Assistant Secretary Queen responded that the directive impacts on the ability of the military to participate in certain essentially civilian law enforcement activities, and it represented a restructuring of internal guidelines that will provide for a basic increase in military support for narcotics interdiction.

The Crack Cocaine Crisis (July 15, 1986)

Witnesses:

Kevin Grevey, Former Player, Washington Bullets Basketball Team, and President, Off Season, Inc.

William Scheu, Player-Coach, USA Legends Basketball Team, and Director, Youth Sports Drug Awareness Program

Lee Ann Bonanno, Recovering Crack User, Bronx, New York

Janet Bonanno, Parent, Bronx, New York

Dr. Jerome H. Jaffe, Director, Addiction Research Center, National Institution on Drug Abuse

David Westrate, Assistant Administrator for Operations, Drug Enforcement Administration

Isaac Fullwood, Assistant Chief of Police, Metropolitan Police Department, Washington, D.C.

Wilhelmina E. Holliday, Deputy Commissioner for Community Affairs, New York City Police Department

Joel Gilliam, Inspector, Narcotics Division, Detroit Police Department

Father Colemen Costello, Executive Director, Outreach Project, Rego Park, New York

John French, Chief, Office of Data Analysis and Epidemiology, Alcohol, Narcotic and Drug Abuse Unit, New Jersey State Department of Health

Malcolm Lawrence, Former Special Assistant For International Narcotics Matters, U.S. Department of State

Introduction

On Tuesday, July 15, 1986, the Select Committee on Narcotics Abuse and Control and the Select Committee on Children, Youth, and Families held a joint hearing in Washington, D.C., on "crack" cocaine.

Crack is the street term for a new form of "freebase" cocaine. Crack is made by heating cocaine hydrochloride powder with baking soda and water. This process frees the cocaine alkaloid, or base, from its hydrochloride salt and impurities leaving a pure, ready-to-smoke chunk or rock of cocaine. Crack has a lower burning point than cocaine and can easily be smoked. The term "crack" refers to a cracking sound when the rock of cocaine is smoked.

Crack is a relatively new phenomenon. Its use first came to public attention in the latter half of 1985. By the early months of 1986, crack was gaining popularity quickly and its use appeared to be spreading rapidly from early strongholds like New York and Miami to other U.S. cities. The cocaine-induced death in June of Len Bias, a talented young basketball star from the University of Maryland, focused public attention of the growing use of cocaine in America, and the sudden popularlity of crack added an even more dangerous dimension to the cocaine epidemic.

The purpose of the July 15 hearing by the Select Committee on Narcotics and the Select Committee on Children, Youth, and Families was to investigate the growing problem of crack cocaine. The Committees sought to examine the nature and extent of the crack crisis gripping a number of urban areas. Law enforcement problems created by crack and the involvement of school-aged youth in the abuse and traffic of crack were a few of the specific issues the Committees hoped to learn more about.

Summary of Findings

The appearance of crack cocaine demonstrates once again how quickly new drug abuse trends can emerge and spread, almost without warning. While there is little specific data on the incidence and prevalence of crack use, it is clear that use of crack is widespread and increasingly popular in New York City and Detroit. This also appears to be true in northern New Jersey, and crack use is reported to be extensive in Miami and Los Angeles as well. Crack appears to be spreading rapidly to other major urban areas.

Available indicators of cocaine use generally and cocaine freebasing in particular have been rising steadily in recent years. It is believed that some of these increases could be attributable to crack, although much of the data predate the crack phenomenon. Due to time lags in data collection, it could be some time before crack users are reflected in indicator data on cocaine use. Clearly there is an urgent need for better data on clients in treatment, emergency room episodes, drug overdose deaths and other indicators of cocaine use that are specific for crack in order to more fully understand the nature and extent of the apparent epidemic of crack use.

Crack is of great concern because it is a particularly dangerous drug. The compulsive use of crack reportedly develops much more quickly than addiction to cocaine hydrochloride. This is due not only to the higher purity of crack but also to its usual route of administration—smoking. When smoked, crack has a much more rapid effect than snorting cocaine. This property of the drug causes an extremely rapid and severe addiction.

Use of crack by young people is of special concern. Although there is little evidence available now that crack is being widely used by youth, the NIDA surveys of drug use among high school seniors show that the use of cocaine among this group is growing. Experts fear that crack will prove to be especially attractive to young people because it is cheap, selling for around $10–$20 a vial, and can be used without elaborate paraphernalia. The potency of crack, which increases its appeal, also poses greater risks to the health of developing youngsters and can produce addiction even more quickly.

The concern about crack and youth reinforces the need for expanded drug abuse prevention and education program. The Committee has heard this need expressed by witnesses at many of its hearings. Witnesses at this hearing again stressed the importance of drug abuse education and prevention efforts through athletics, school-based programs and community-based activities. The need for strong Federal leadership and support for drug abuse education and prevention was emphasized by several witnesses.

The crack crisis also highlights the continuing shortage of treatment capacity for drug abusers. The treatment system in our country, which is already straining under Federal funding cutbacks of approximately 40 per cent in recent years, is now faced with two drug emergencies that threaten to totally overwhelm available services—crack, and AIDS among intravenous drug users. Testimony at this hearing urged the Federal Government to significantly increase the support it provides to States for State and local treatment services.

Finally, the hearing highlighted the serious problems law enforcement agencies are facing as a result of the crack explosion coupled with the existing street traffic in heroin, cocaine and other drugs. In cities where crack is prevalent, street dealing is flagrant and widespread. It is not uncommon for dealers to effectively take over entire neighborhoods, threatening the safety of residents and destroying the quality of life. Local law enforcement agencies do not have sufficient resources to deal with the myriad of problems the crack traffic creates—problems that originate from the Federal Government's failure to stem the flood of cocaine into our country from abroad. Local law enforcement witnesses urged the Federal Government to provide assistance to help them cope with the traffic in crack and other drugs that is engulfing their cities.

A brief summary of the statements of the witnesses follows.

Testimony

The first two witness were from professional sports. They informed the Committee of ways in which professional and amateur athletes could promote drug education.

Former basketball player Kevin Grevey described the program, Off Season, Inc., which is designed to help athletes help address social ills and meet public need. With respect to drug abuse, the program recognizes that many professional and amateur athletes who have maintained a drug free and positive lifestyle can serve as role models, influencing youth to avoid drugs. Mr. Grevey also asserted that the Federal Government has to get involved in drug education, because there has be to a unified effort; there has to be a commitment from the Federal Government.

William Scheu, former basketball player and director of the Youth Sports Drug Awareness program, testified that preventative drug education has to start at kindergarten through sixth grade. The sports program is trying to open the door, followed by reinforcements. These programs for the young will educate and provide good decision-making skills for saying no to drugs and facilitate the formation of student groups that support a drug-free lifestyle. Mr. Scheu very much supported Federal assistance for drug education programs.

The Committee then heard from a twenty year old former drug user, Lee Ann Bonanno, and her mother, Janet Bonanno. Lee Ann told the Committee that she started using marijuana and alcohol at age 12. She then progressed to mescaline; pills, especially valium; and cocaine. At 18½ she tried crack. She said it made her very violent and she would rip off dealers to get more crack.

Mrs. Bonanno testified when her daughter finally admitted that she was using drugs and went for treatment, Lee Ann was sent to a detoxification center which cost $6,000 for five days and then a psychiatric hospital for two weeks, which cost $10,000. She said, unless the parent can assume the cost or the user is entitled to Medicaid, help is still very scarce. In Lee Ann's case, fortunately, Mr. Bonanno's health coverage paid most of the cost and the family assumed the rest. She concluded by suggesting that money should used to fund drug rehabilitation centers that return productive, functioning, responsible human beings to society. Mrs. Bonanno stated that the Government had to stop talking and start acting.

The next panel of witness addressed the dimensions of the crack problem.

Dr. Jaffe of the National Institute on Drug Abuse (NIDA) told the Committee that foremost among the more hazardous forms of cocaine is smokable cocaine. Quite recently, a new way to prepare and market freebase cocaine, that can be smoked, appeared on the illegal drug scene. This involved preparing freebase cocaine with sodium bicarbonate. This produces a hard, white material, now known as crack. Crack is popular for a variety of reasons. It does not require elaborate paraphernalia, sells for a lower unit price, is sold in small amounts—one or two doses, and has a rapid effect. The young and non-affluent can afford it. These factors seems to account for the more rapid onset of dependence, more demand for treatment, and more toxicity.

Although NIDA has been supporting research on the toxic effects of cocaine use, Dr. Jaffe said that a special campaign targeted at crack may be needed. He also noted that NIDA had recently begun an intensive new media campaign aimed at cocaine abuse using the theme, "Cocaine—The Big Lie."

Drug Enforcement Assistant Administrator Westrate testified that DEA perceives crack as a major drug problem that has emerged in less than a year. It is sold on the streets in small vials, glassine envelopes, or sealed bags. Purity levels are between 60 and 90 percent, as compared to cocaine hydrochloride, which is available on the street at purity levels of 30 to 40 percent. Small vials contain an average of 100 milligrams of crack and sell for approximately $10. Because of the newness of crack, enforcement information on crack is incomplete, cocaine arrests do, however, account for 80 percent of the total increase in drug arrests for fiscal year 1985.

Law enforcement representatives from Washington, D.C., New York City, and Detroit described the crack problem in their cities. They provided a picture of how crack has affected urban communities in various parts of the country—both the similarities and the differences.

Assistant Police Chief Issac Fullwood said that the District of Columbia is not presently experiencing a crack crisis, although cocaine is readily available and abused in the city. It is becoming the drug of choice. Moreover, more and more juveniles are becoming actively involved in the illicit drug trade, not only as users, but traffickers.

To combat the problem, according to Chief Fullwood, effective coordination and full cooperation among Federal, State, and local law enforcement agencies are essential to any effort directed at the importation, manufacture, and sale of illicit drugs within the United States. Aggressive interdiction and investigation, effective prosecutions, stiff prison penalties, and seizures of assets are all essential to controlling drug trafficking. Moreover the community must refuse to participate in purchasing illegal drugs.

New York City Deputy Police Commissioner Wilhelmina E. Holliday indicated that crack, which is widely distributed in New York City, came to the city from Los Angeles. It made its first appearance in the New York City Police Department laboratories in January 1985, but may have come to the city as early as 1984. Crack houses are now springing up all over New York City.

Deputy Commissioner Holliday went on to say that between May 18 and May 31, 1986, 68 per cent of the cocaine analyses performed by the New York City Police labs were for crack. In January 1986, there were 330 arrests for crack and for the month of June the number of crack-related arrests had increased to 674. Crack, however, is not merely a local problem, but one which demands the attention of higher authority.

She indicated that traditional organized crime has only about a 25 per cent share of the drug trade. The other is shared by Blacks, Colombians or other groups.

According to Deputy Commissioner Holliday, the New York City Police Department has also undertaken a program with the Board of Education to provide drug education in the schools. The SPECDA program, School Program to Educate and Control Drug Abuse, includes a 16-week drug prevention course in the 5th and 6th grades and an assembly program for junior high and high school students, as well as parent workshops. Deputy Commissioner Holliday concluded that what is needed at the local level is national help and a strong drug education policy.

Inspector Joe Gilliam of the Detroit Narcotics Division testified that Detroit was clearly under attack from narcotics, because in the last year the narcotics section of the police department had raided narcotics houses 960 times. He went on to suggest that it was the opinion of the Detroit Police Department that by the time a youngster had reached the age of 12 to 13, he had already reached a decision to use these substances, so any education or treatment had to be directed at an age group from kindergarten to sixth grade. The first use of crack tends to occur at age 12 and the age is dropping, he said.

With respect to the involvement of organized crime, Inspector Gilliam reported that in Detroit the primary method of distribution is local family or extended family groups that have limited, if any, connection with the traditional organized crime figures.

The final panel focused on the prevention, education and treatment dimensions of the drug problem generally with special attention to crack.

Father Costello, director of the Outreach Project in New York, addressed the problem of crack and drug use by young people from the neighborhood perspective. He testified that he is seeing many kids using drugs because they are in pain, they are bored, and they have no place to go. Underlying the problem of drug use by young people, according to Father Costello, is a larger issue which is the anti-youth approach of the country. He said there is not united strategy on the Federal level to address the problem of young people entering into a society that is very anti-child.

John French from the New Jersey Department of Health described the difficulty in treating crack in New Jersey as a threefold problem: it is difficult to recruit crack users into treatment; less expensive outpatient treatment process are not sufficient to treat crack abuse; and the entire New Jersey health care system is in the midst of a catastrophe—AIDs. He indicated that the process of denial is greater for crack than it is for other drugs. Virtually all treatment programs in New Jersey report a large volume of calls about crack from families, for users, but these are not yet being followed up with substantial admissions to treatment.

Former State Department Special Assistant for International Narcotics Matters, Malcolm Lawrence, told the Committee that the major contributing factor to the tolerance of illicit drugs and narcotics in America is that many schools are sending out no messages or weak and confusing messages about drugs. He said that in 17 years of experience with the drug problem, he had yet to find any good, solid, effective drug education.

Accordingly, Mr. Lawrence recommended that the Select Committee undertake a study to analyze how the public schools throughout America are in fact dealing with the drug problem. Although surveying every district would be too costly and time consuming, he suggested that the Committee would provide a highly valuable service by surveying at least the 50 State boards of education and taking a sampling of some 200 to 300 local school districts.

Mr. Lawrence concluded by stating that he believed that every school system in the United States should formulate a drug abuse policy statement containing facts and figures about drugs which would serve as a community education document and form the basis for a drug education program in the school system. The Department of Education should assume some leadership in finding out what really works.

The Trafficking and Abuse of "Crack" in New York City (July 18, 1986)

Witnesses:

The Honorable Mario Cuomo, Governor of New York.

The Honorable Edward Koch, Mayor of New York City.

Gordon Ambach, Commissioner of Education, New York State.

Dr. Charles I. Schonhaut, Deputy Chancellor, New York City Schools.

Julio Martinez, Director, New York State Division of Substance Abuse Services.

William Hopkins, Supervisor, Street Research Unit, New York State Division of Substance Abuse Services.

Dr. Lillian Glogau, Retired Elementary School Principal.

Benjamin Ward, Commissioner, New York City Police Department.

Robert Morgenthau, Manhattan District Attorney.

Sterling Johnson, Special Narcotics Prosecutor, New York City.

Donald Chesworth, Superintendent, New York State Police.

Robert Stutman, Special Agent-In-charge, New York Division, Drug Enforcement Administration.

Dr. Robert Polk, Executive Director, Council of Churches of Greater New York.

Rabbi Hillel Friedman, Acting Executive Director, Department of Religious Affairs, United Jewish Appeal Federation of New York.

Dr. Benny Primm, Executive Director, Addiction Research Corporation.

The Select Committee on Narcotics Abuse and Control conducted this hearing to examine the perspectives of the Federal, State and local government, as well as the local religious groups on the issue of the nature and extent of the trafficking and abuse of "crack" cocaine. Ways of educating the public, increasing overall awareness of the dangers and consequences of "crack" abuse were also discussed. The Select Committee had been concerned with the sudden appearance of "crack" and its rapid spread in popularity among drug users throughout the New York City metropolitan area and the United States, particularly in the major urban areas. Since the latter part of 1985, the Members of the Select Committee, and the entire country, had, on a daily basis, been reading newspaper and magazine articles which related that Americans of all ages, ethnic groups, and socio-economic classes were self-destructing as a result of "crack" abuse. Additionally, all three major networks, as well as many independent broadcasters, had devoted substantial news coverage and prime-time special coverage to the growing "crack" epidemic.

Chairman Rangel presided. Also present were Messrs. Guarini, Towns, Gilman, DioGuardi, Green, Weiss, Conyers, and Biaggi, and Senators Chiles and D'Amato.

In his opening remarks, Chairman Rangel observed that the "crack" abuse and trafficking situation is very serious and getting worse instead of better. Consequently, the Select Committee is trying to develop a national strategy to deal with it. Chairman Rangel also stated,

> . . . we came here because "crack" has now appeared to be taking more casualties than the straight use of cocaine and heroin and marijuana, and we do hope by these type of hearings and by having people to come to testify, that we will focus attention and perhaps get a response from the White House.

Mr. Gilman, in his opening statement, observing that cocaine was not the only problem confronting us, stated,

> We must never forget that the drug crisis confronting our nation and indeed the world is a multi-drug phenomenon, including heroin and marijuana and PCP and designer drugs and other deadly substances.

Mr. Gilman spoke of changes in trends of drug abuse, i.e. that cocaine, which was once affordable only to the jet set, is now found as an added substance in marijuana cigarettes selling for approximately one dollar apiece and affordable to virtually everyone. Mr. Gilman emphasized mandatory drug education programs as an essential part of the solution to substance abuse.

Senator D'Amato commended Chairman Rangel and Congressman Gilman for their legislation which was passed and resulted in the cut-off of aid to Bolivia. Without that piece of legislation, the Government of Bolivia would not have requested U.S. assistance in dealing with the narco-trafficking organizations which have been operating cocaine processing laboratories unchecked in that country. Senator D'Amato further stated that in the absence of leadership by the Administration, Congress must provide that leadership and pass such legislative initiatives. He criticized our government and our society for failing to make the total commitment needed to save the nation's youth from drugs, and noted,

> We talk about a war on drugs, but the only war being waged is the one that the drug dealers are waging against our children. They are killing our children.

Senator D'Amato called for a more organized and unified effort in combatting drug abuse, increased use of the military, increased aid to law enforcement, and more effective drug education programs.

Senator D'Amato commended New York City Police Commissioner Benjamin Ward for the police department's drug education awareness program being conducted in the city's school's, but stated that much more remains to be done.

Senator Chiles described a bad problem getting only worse. He said,

> Twenty-five states now have a "crack" problem, and if the others don't have it today, they just haven't discovered it or it hasn't arrived . . . The price has dropped since January 1st of this year. The price is one-half of what it was. There is more available. The purity of the powder form is higher than it has ever been and we know once it is free-based, it becomes 98 to 100 percent pure.

Senator Chiles called for an increase in penalties, a reduction in the amount of drugs trafficked in order to activate the severe penalties provisions, an enhancement of penalties whenever drugs are sold to children or when children are utilized in any aspect of the production and distribution of drugs, and an anti-paraphernalia statute. Finally, Senator Chiles called for a total community involvement and effort to rid neighborhoods of the menace of drug trafficking and abuse.

Congressman Guarini called for an end to the interagency conflict which had been reported frequently in the New York City newspapers recently. He also expressed dismay that some of the leading law enforcement had publicly indicated little hope for a victory against drugs.

Congressman DioGuardi, who represents approximately two-thirds of Westchester County, New York, stated,

> . . . my district ranks at the top or close to the top in this state on per capita use in schools of drugs. "Crack" is the main one . . . crime rates, which were on the down particularly in the last four years . . . are now escalating in my county.

Mr. DioGuardi emphasized the need to save the Nation's youth.

Congressman Biaggi called "crack" dealers a new phenomenon. He observed,

> "Crack" dealers are a form of terrorism, Mr. Chairman, no less dangerous, and probably more so, than Qadhafi, except they are not 3,000 miles away; they are right here on our shores and our streets.

Mr. Biaggi commented on the 17 percent increase in homocide in New York City during 1986. Reason: "Crack." Cocaine-related deaths have risen more than 300 percent in the last five years. Reason: "Crack."

Congressman Bill Green commented on the "two-tier attitude toward drugs including cocaine, i.e. society criticizes drug abuse by the poor and minorities, but drug abuse by the middle-class and rich and famous is regarded lightly. Mr. Green related that white collar workers make buys outside their office buildings in Midtown and downtown Manhattan, generally with impunity. The treatment of drug use by television and the motion picture industry as a humorous matter must be ceased. Mr. Green called for a united effort to stem demand for drugs, specifically calling for a change in attitudes by the "image makers" in Hollywood, professional athletics and business.

Congressman Ed Towns cited the recent undercover street purchase of vials of "crack" by Senator D'Amato and U.S. Attorney Rudolph Jiuliani, two highly visible public figures, as further indication of the enormity of the "crack" industry.

Congressman Ted Weiss called for drug education programs to reduce demand for drugs. He emphasized that education programs must be implemented in addition to law enforcement and interdiction efforts.

The first witness, Governor Mario Cuomo, Governor of New York, was accompanied by Lawrence Kurlander, Director of the Criminal Justice Division, and Julio Martinez, Director of Substance Abuse Services. He observed that this crisis of drug trafficking and abuse has transcended party affiliation, bringing Republicans and Democrats together seeking a solution to the problem.

Governor Cuomo cited a lack of action and leadership from the White House but commended Chairman Rangel, the Select Committee and Senators D'Amato and Chiles for their collective and individual efforts. Governor Cuomo referred to pending legislation addressing drug education, narcotics production control, and Federal assistance for state and local law enforcement, drug abuse prevention and treatment programs. He voiced support for Congressman Rodino's call for a White House Conference on drug abuse and drug trafficking, and pledged to urge other governors and local officials around the country to support these measures.

The Governor called on the President to bring to the war on drugs the same continued level of commitment and effort expended in the campaigns for the Strategic Defense Initiative ("Star Wars" on SDI), aid to the Contras, and tax reform. The President, more than any other, is the logical leader for this kind of battle.

The State of New York's criminal justice system costs $1.7 billion, sixty-percent of it is drug-related—one quarter of what the

Federal budget allocates for the entire United States. Sixty-percent of all the people in New York prisons have histories of drug or alcohol abuse. There are approximately 5,000 drug pushers in New York State prisons—2,300 more than in January, 1983. New York State will have built 10,000 more prison cells by the end of 1986. Two hundred specially trained State Police investigators have been added to the narcotics unit, 100 of them in New York City. During 1984 and 1985, approximately 8,500 were arrested for selling drugs to school children. New York State has devoted considerable energies and resources in law enforcement, treatment and education to achieve some relief in the State's drug trafficking and abuse crisis. The Federal Government must do more.

The Governor repeatedly emphasized drug education programs as essential to a victory in the drug war:

> . . . if I had to, if you forced me to one, I would say education. If you said 'forget about it, Cuomo you have just one thing you can do, you have to give up the other four and pick one', I would say education. Give me the chance to reach their minds and their hearts, to teach them that this is stupid.

There is a role in this struggle for involvement by the private sector, volunteers and community activism.

Finally, the Governor, in response to a question from Congressman DioGuardi, discussed the issue of how to reconstruct our country's values, i.e. bringing back family values. Emphasis must be placed on the concept of family, the relationship of people to each other, ". . . that we all have a common obligation to one another." A healthy family life can be promoted and achieved by elected officials helping to improve the quality of life for the citizens of this country—by reducing the poverty and welfare rolls through tax provisions that increase the standard deduction, increasing the dollar amounts allowed per personal exemption, thereby making it financially possible for families to stay together. This will also enable families to obtain better housing and better and more consistent education. The ultimate objective is to strengthen families.

Prior to his testimony, Mayor Edward Koch of New York City was commended by Chairman Rangel for his leadership in calling for increased military involvement in the war on drugs. Mayor Koch was accompanied by Kevin Frawley, Criminal Justice Coordinator of the City of New York.

Mayor Koch commended President Reagan for his decision to send over 100 U.S. military personnel and helicopters to Bolivia to assist the Government of Bolivia in its efforts to locate and destroy clandestine cocaine processing laboratories and arrest the operators of those labs. The Mayor, however, stated that there was an even greater role for the military in this war on drugs interdiction. The military should be put on the borders of the United States.

Mayor Koch called for the total repeal of posse comitatus which prohibits military involvement in law enforcement. He recommended that the Federal Government exercise exclusive jurisdiction in narcotics enforcement activities. He expressed disapproval of the Federal Government's strategy of pursuing only major drug traffickers, leaving the smaller scale traffickers to the state and local law enforcement agencies which are having extreme difficulty dealing with the enormity of the problem.

Mayor Koch testified that with all of the increased law enforcement, the impact has been minimal. He spoke out in favor of a Federal death penalty for wholesale distribution of drugs which leads to death or multiple deaths. He believes this will work where other initiatives and penalties have failed.

In speaking of jails, Mayor Koch announced that by 1989, New York City will have a total of 15,000 beds. He suggested that the Federal Government build jails or prison camps in the deserts of this country or the Alaskan Tundra.

Mayor Koch also made the following recommendations:

(1) Remove $100 bills from circulation. In the process of doing this requires people to explain where they got them;

(2) Enact a money laundering statute;

(3) Federal aid for state and local law enforcement, drug education programs for grades Kindergarten through 12, and drug abuse treatment and rehabilitation;

(4) A requirement that radio and television broadcast licenses air public service drug education programs;

(5) Convene a National Conference of Governors, Mayors and legislators to declare that the number one issue in this year's Federal election would be the Federal Government's handling of the drug problem.

Gordon Ambach, Commissioner of Education, New York State, told the Select Committee and Senators D'Amato and Chiles that a successful anti-drug campaign should be modeled after the very successful anti-smoking and anti-drunk driving campaigns. New York State currently allocates $250,000 for drug education curriculum, materials and training and instruction of school personnel. These funds are totally inadequate to service the 3 million students in New York State. Mr. Ambach had asked the legislature for $6.5 million in drug education monies but the funding was not granted.

Dr. Charles I. Schonhaut, Deputy Chancellor of the New York City School System, told the Select Committee that a survey conducted in 1984 revealed that 16% of the New York City school children in grades 7 through 12 had already experienced the use of cocaine. The figures are expected to rise with the introduction of "crack." Dr. Schonhaut said that it is imperative that the school system demonstrate to its 150,000 children other means of dealing with solving their problems—alternatives to taking crack or alcohol or drugs.

Dr. Schonhaut told the Select Committee that the New York City Public Schools and the New York Police Department have created SPECDA, a drug education program. It is currently being implemented in grades five and six. The cost of this program is $51.90 per child as compared to approximately $2,100 a year for treatment programs such as Phoenix House and $30,600 a year for incarceration of criminals. Evaluations of the program have been good.

Mr. Julio Martinez, Director of the New York State Division of Substance Abuse Services, testified that his agency allocated approximately $18.2 million to New York City for its 32 school districts, the Archdiocese of New York, the Dioceses of Brooklyn and several Hebrew day schools. On a statewide basis, New York State allocates approximately $98 million for treatment, prevention, and education as compared to $19 million provided by the Federal Government. He pointed out that the Federal Government has cut $48 million for these programs over the past seven years. Mr. Martinez called upon the Federal Government to provide $10 million to match the $10 million which Governor Cuomo announced to increase funding to New York State school-based programs and treatment programs.

Mr. William Hopkins, Supervisor, Street Research Unit, New York State Division of Substance Abuse Services, reported to the Select Committee the results of its recently completed studies of 250 people. The Street Research Unit found that:

1. One gram of cocaine will yield approximately 20–30 rocks of "crack depending on the amount and kind of substance (yeast, speed, vitamin B-12) mixed with it.
2. Young children are given free samples of crack to get them involved in the use of it.
3. There is a growing number of crack users, particularly among younger children.

Dr. Lillian Glogau, retired elementary school principal, advocated drug education programs beginning at age 5 or six "at the very latest." This would mean implementation of better kindergarten through sixth grade health education programs which include substantive drug abuse and prevention programs. Dr. Glogau called upon the Federal Government to serve as a resource in order that model or exemplary programs, statistics and data can be shared with every school district.

Benjamin Ward, Commissioner of the New York City Police Department, told the Select Committee that a combined law enforcement and education approach is needed in order to realize any significant progress in the anti-drug effort. He was critical of the Federal Government's "mini-scale" efforts in pushing for eradication in the drug source countries, its woefully dismal interdiction record, and its unrealistic attitude that drug trafficking and abuse is a state and local problem. Commissioner Ward spoke also of the Federal Government's lack of commitment to drug education programs. He compared the $3.5 million expended on such programs by the police department and New York City Board of Education each, to the $3 million spent by Federal Government for the entire country.

Commissioner Ward testified that the number of "crack" arrests in May, 1986 represented 73 percent of the total cocaine arrests. One month later, the number increased to 83 percent. During the first half of 1986, 83 percent of the search warrants applied for were for "crack." The New York Police Department is trying everything imaginable to keep the city from drowning in a sea of drugs, but the most basic methods are enforcement and education.

Robert Morgenthau, Manhattan District Attorney, told the Select Committee that the New York City Special Narcotics Prosecutor's Office in the first six months of 1986 had obtained 2,000 indictments, well ahead of the previous year's pace which totalled 3,100 for 1985. The New York State prison system has more inmates than the entire Federal prison system.

Mr. Morgenthau asked for a massive Federal effort to deal with the production of illicit drugs abroad. He stressed the importance of having everyone, the President, the Members of his Cabinet, the Coast Guard, DEA, and the FBI, involved in the effort.

Sterling Johnson, Special Narcotics Prosecutor for New York City, testified that Washington, both the current Republican Administration and the Democrats before it, are the major culprits in the failure of an effective anti-drug policy, despite official declarations of success and achievement. Mr. Johnson said that the drug issue must be raised to the same level of commitment accorded the issues of defense and aid to the Nicaraguan Contras.

Donald Chesworth, Superintendent of the New York State Police, testified that as the Chairman of the New York State Chiefs of Police Organized Crime Committee and the International Association of Police Organized Crime Committee, a resolution of the latter organization will call upon the Federal Government to do more to secure the borders of the United States from narcotics smuggling.

The New York State Police has greatly expanded its full-time narcotics enforcement program, with a goal of having 300 full-time narcotics investigators statewide by the end of 1986. Similarly, there has been a substantial increase in the number of joint investigations involving the State Police, the New York City Police, the DEA, and the New York City Special Prosecutor's Office. This has resulted in more seizures of large quantities of drugs, particularly cocaine. Mr. Chesworth told the Committee that more cocaine processing laboratories are being located within New York State, including the largest one found in North America.

Robert Stutman, Special Agent-In-Charge of the New York Division of the Drug Enforcement Administration, told the Select Committee that he believed that one of two things would be happening in 1990: (1) either 1985 would be looked upon as the good old days because the drug problem would be much worse; or (2) 1985–86 would be viewed as the year in which the nation as a whole finally said "enough is enough."

Mr. Stutman said that "crack" presents a unique enforcement problem to the DEA. It is insidious and highly addictive. The nature of "crack" trafficking is such that there are literally thousands of small crack organizations operating throughout New York City. There are no "major" organizations trafficking in crack. Where as DEA has traditionally pursued major organizations with the intention of chopping off the head, it is now confronted with the choice of either pursing much smaller organizations or ignoring them. Mr. Stutman testified, in response to a question from Chairman Rangel, that given such a choice, DEA would not pursue the smaller groups.

Dr. Robert Polk, Executive Director of the Council of Churches of Greater New York, testifed that his organization, formerly the Protestant Council, represents about 1,600 churches, approximately 300,000 individuals. He announced that the Council had arranged a seminar, to be held on July 30th, bringing together some of the Protestant and Eastern Orthodox religious leaders, Julio Martinez and lay experts in order to help the clergy develop an understanding of the problem.

Dr. Polk spoke of the lack of involvement by the clergy in the drug issue. Part of this he attributed to a lack of understanding of the issue and an inability to determine priorities within the drug context.

Dr. Polk called upon the three major faith communities, the Roman Catholic Dioceses of New York and Brooklyn, the Board of Rabbis and the Council of Churches to unite and mount a major assault against "Crack." He invited other faith communities to join in this effort.

Dr. Beny Primm, Executive Director of the Addiction Research Corporation in Brooklyn, addressed the Select Committee on the topic of AIDS. As of June 30th, the Center for Disease Control in Atlanta reported that there are 22,173 AIDS cases. Of these, 12,186 have died. The U.S. Public Health Service predict that as of 1991 there will be 155,000 to 220,000 cases and 142,000 to 201,000 deaths from AIDS. Dr. Primm reported that Harlem ranks number three in the world of AIDS-related deaths. Despite this, he said, there is no program in Harlem for prevention and education in AIDS. Dr. Primm stressed the importance of a wide-scale public education program concerning AIDS. He called for immediate education in safe sex practices, and using sterile needles for IV drug use. AIDS is spreading at a rapid rate, particularly in the Black and Puerto Rican communities.

David Patterson, New York State Senator, told the Committee that the "Crack" problem is indicative of a very bleak future. He expressed amazement at the "Crack" phenomenon. Life-long drug abusers won't go near "Crack," yet younger people will run to "Crack," particularly when it is called "Len Bias Cocaine" after the college All-American basketball player who died of cocaine intoxication several weeks earlier, during June.

Senator Patterson commended the Select Committee for inviting the clergy to testify at this hearing. He criticized the recording industry which produced records extolling the pleasures of drugs, and the media for sensationalizing the issue. He called for all segments of society to join together in fighting all drug abuse.

U.S. Narcotics Control Efforts in Mexico and on the Southwest Border (July 22, 1986)

Witnesses:

Jerrold Mark Dion, Deputy Assistant Secretary, Bureau of International Narcotics Matters, Department of State;

Thomas V. Cash, Deputy Assistant Administrator for Operations, Drug Enforcement Administration;

Admiral Paul A. Yost, Commandant, U.S. Coast Guard;

William Rosenblatt, Assistant Commissioner for Enforcement, U.S. Customs Service;

Roger Brandemuehl, Assistant Commissioner, Border Patrol, Immigration and Naturalization Service;

Major General Herbert R. Temple, Jr., U.S. Army, Director, Army National Guard, Deputy Director, National Guard Bureau;

Colonel Harvey G. Pothier, U.S. Air Force, Acting Director, Department of Defense Task on Drug Enforcement.

During the Select Committee's study mission to the southwest border and Mexico between January 12 and 19, 1986, it was evident to Committee members that drug trafficking into the United States from Mexico was out of control. In order to determine what U.S. policy is relative to Mexico and narcotics control and to examine the progress in narcotics control efforts in Mexico and on the border, the Committee convened a hearing on Tuesday, July 22, 1986.

The first panel of witnesses included Deputy Assistant Secretary of State Dion (for Ann B. Wrobleski, Acting Assistant Secretary for INM) and Deputy Assistant DEA Administration Cash. They focused on narcotics control efforts in and with Mexico.

Mr. Dion informed the Committee that during the 1970's our anti-narcotics program with Mexico had been extremely successful. This program of cooperation had resulted in a significantly reduced flow of illicit narcotics into this country. During the past three years, however, the program had lost most of its effectiveness.

He indicated that there were several factors contributing to this erosion of effectiveness. They were: the downturn in the Mexican economy, which again spurred farmers into this type of activity; a drop in the efficiency of the program itself; corruption at several levels of the Mexican Government; and rainfall and climatic conditions, which contributed to the rapid growth in these crops.

Consequently, by the end of 1985, Mexico was once again perhaps the leading exporter of marijuana and one of the leading exporters of heroin to the United States. Estimates for 1986 suggest little change in this situation.

According to the Deputy Assistant Secretary, efforts are underway to remedy this situation. There have been a series of high-level meetings between the Attorneys General of the United States and Mexico; quarterly meetings that included representatives of State, Justice, Treasury; and there has been a general agreement with the Mexican Government on remedies for the situation in the country.

Moreover, important agreements were reached in Cancun in April of 1986. Among the agreements were: initiatives to improve the eradication program; activities to improve the base of available information, improvements in enforcement against trafficking, and continuing investigation into the Camarena murder.

Mr. Dion told the Committee that the program in Mexico is "our highest priority in our whole worldwide narcotics agenda."

Since January, new initiatives to improve the eradication program include: a new data base; integration of new aircraft for crop dusting; training seminars for safety programs; and new formulas for herbicides. In addition, the Mexican Attorney General's office is cooperating in an effort to restore the overall effectiveness of the eradication program.

DEA Deputy Administrator Cash reported that the eradication program in Mexico, Operation Vanguard, involves U.S. observers accompanying verification elements of the Mexican Attorney General's office to verify cannabis and poppy eradication. Aerial reconnaissance is used to detect the location of the illicit cultivation sites and then to verify their destruction.

According to Mr. Cash, the February to March 1986 phase of Operation Vanguard proved to be one of the most productive in the history of the program. Total flight hours were up and the verification program was generating "encouraging" information.

Upon completion of their testimony, Mr. Rangel began the questioning by Committee Members. Mr. Rangel took issue with the testimony. In light of the statement that eradication is the highest priority of U.S. narcotics policy in Mexico, he asked the witnesses to elaborate on what had been done in the last few months. Mr. Dion told the Committee that 1986 figures were not yet available. Mr. Rangel expressed concern that the United States is "giving too much cooperation and getting very little in return for it."

Representative Duncan Hunter inquired as to whether the eradication efforts were failing because production had gone up or the eradication program had eroded? Mr. Dion indicated that cultivation had increased dramatically.

Mr. Hunter indicated that it was his understanding that the eradication program had been successful when American pilots were in the aircraft. And, therefore, was it important that American participation be interjected back into the program?

Mr. Dion indicated that Americans would be training the Mexicans to use the new technology. Americans would be flying during training missions, but not during non-training, operational missions.

Mr. Guarini emphasized the need for verifiable figures.

Mr. Ortiz raised the question of whether water was being used to spray the crops instead of herbicides. Mr. Dion indicated that water was used to flush out the tanks. Mr. Scheuer, in response, suggested that spraying diluted herbicides would fertilize, not kill, crops. Mr. Dion indicated that initiatives have been taken in the last year to assure that the mix of herbicide to water will indeed kill the crops.

Mr. Oxley expressed concern that there was now a proliferation of laboratories in Mexico to refine coca paste and raw cocaine. He asked whether this was abating. Mr. Dion indicated that it was not.

Mr. Cash indicated that Mexico was felt to be a growing candidate for laboratory activities because of the availability of ether and acetone in commercial quantities readily obtainable on the legal market.

Mr. DioGuardi asserted that the State Department had to take a much heavier hand in using its economic muscle, the money that we funnel into these countries, to get their attention.

Mr. Guarini then focused on the Camarena case—the DEA agent who was murdered in Mexico in February 1985. He indicated he was not satisfied with the progress of the investigation. Mr. Guarini suggested that the case is just further symptomatic of what is happening down in Mexico, and if there is no person brought to justice, if there is not enough pressure exercised by the State Department, it is only further proof of the problems that exist in Mexico and the ineffectiveness of the State Department in handling the problem.

The second panel of witnesses addressed the problems and progress of U.S. efforts to stem the flow of narcotics across the southwest border. Specifically, attention was focused on the "southwest border initiative," currently being undertaken to gain control over the southwest border.

Admiral Yost indicated that as the new Commandant of the Coast Guard, he had made drug law enforcement one of his top priorities.

With respect to drug smuggling on the southwest border, he confirmed that it had increased. This was in part due to the success of interdiction efforts in the Caribbean over the last two years. He asserted that, with the same sort of cooperative effort that had succeeded in the Caribbean, the southwest border initiative being undertaken could gain control over the southwest border.

Although the southwest border initiative is primarily focused on drugs coming in by land or air, the Coast Guard has been active in the planning. They will conduct drug interdiction operations in support of the initiative on the high seas, in the Gulf of Mexico, and off the coast of California. Coast Guard law enforcement teams will also be deployed on Navy ships in these areas. Moreover, the relations with the Mexican Navy are good.

Mr. Cash reported that DEA is a participant in the southwest border initiative. At the end of June 1986, DEA had 161 special agents stationed in offices along the Mexican Border. Moreover, it is assisting in Operation Pipeline. The purpose of this program is to train State and local police along the border to identify, intercept, arrest, and prosecute cocaine couriers using major highways.

Assistant Commissioner for Enforcement, U.S. Customs, William Rosenblatt testified that he is responsible for coordinating Custom's response to "what may be developing into our country's number one smuggling threat area." He asserted that Mexico is now the number one source of heroin and marijuana entering the United States, and over 30 percent of the cocaine smuggled into the U.S. enters from Mexico.

The crisis on the southwest border is evidenced by growing corruption in Mexico, increased acts of violence on both sides of the border, increased seizures of narcotics, and the increased presence of Colombian narco-traffickers in Mexico along the border. There also is evidence of a huge increase in cash activity within the financial institutions located in U.S. border towns.

U.S. Customs has responded to the crisis with an assignment of additional trained agents, criminal investigators, narcotics dog handlers, inspectors, and intelligence specialists to priority locations on the southwest border. It has also given top priority to the hiring of crack fixed-wing and helicopter pilots needed to wage the war on the southwest border.

Roger P. Brandemuehl, Assistant Commissioner, Border Patrol, indicated that since the beginning of fiscal year 1985, the number of Border Patrol agents on the U.S./Mexico border has been increased by one-third. New equipment has been added to increase effectiveness in the detection and apprehension of illegal aliens.

Along with the record-setting number of apprehensions of illegal aliens—1.2 million in 1985 and 1.8 million estimated in 1986—the Border Patrol has been seizing large amounts of narcotics. Last year, the Patrol effected over 885 narcotics seizures and had already surpassed this number by July of 1986.

The Border Patrol has increased its drug interdiction efforts by: placing special emphasis along the immediate border area; expanded training in drug identification; and enhanced intelligence gathering capabilities regarding drug trafficking.

Major General Herbert R. Temple, Jr., Director, Army National Guard, reported that there had been an annual expansion in the involvement of the National Guard in both interdiction efforts and in the eradication of domestic marijuana. Between 1983 and 1985, the number of National Guard units participating in drug missions increased from four States to twenty States. As of July 1986, 14 States have reported support missions. Thirty five States have either a written or verbal agreement with State law enforcement authorities involved in drug enforcement operations.

The National Guard supports drug operations missions in three ways: observation and reporting during normal training activities; the transportation of law enforcement officials to assist them in the performance of their duties; and the loan of specialized equipment to assist those agencies involved in drug enforcement.

U.S. Air Force Colonel Harvey G. Pothier, Acting Director of the Department of Defense Task Force on Drug Enforcement, indicated that the Department of Defense provides surveillance information on land, sea, and air drug trafficking; provides information to assist the intelligence effort inforeign countries; and makes available sophisticated equipment to law enforcement authorities. During 1985, the Defense Department responded to over 8,000 requests from Federal, State and local authorities; provided over $14 million of aircraft and surface vessel surveillance support; and loaned over $100 million in sophisticated equipment to local law enforcement authorities.

Colonel Pothier further reported that the Attorney General's Drug Policy Board proposal for this year will increase the contribution of the Defense Department in the war on drugs. He indicated that the proposal calls for the Navy to loan four state-of-the-art E2C airborne early warning aircraft for use by law enforcement authorities along the southern U.S. tier. Moreover, the Air Force will procure five tethered aerostat radar systems for the Customs Service to operate and maintain along the U.S./southwest border. The Air Force sill also modify two C130 Hercules aircraft with special sensors for use near the drug production and processing areas. The multi-service DOD contribution also includes rotary wing helicopter support.

He went on to say that the national security decision directive on narcotics and national security provides for increased DOD assistance, paticularly in the area of training.

DOD participation in multi-agency operations has been expanded. For example, the combined services expended a total of $22 million supporting Hat Trick II.

Upon completion of the testimony by the panel members, Mr. Guarini began the questioning of the witnesses. A number of important issues were raised by Committee members. These included:

—The feasibility of closing down the border;

—The source of funding for the "southwest border initiative";

—The advisability of increasing the involvement of the military in tightening the border;

—The prospects for increasing, unilaterally, the intelligence resources needed to zero in on those who are crossing the border with narcotics;

—The level of cooperation with the Mexican Government, and whether the Coast Guard when it suspects a ship of smuggling illegal drugs on the high seas has the right of hot pursuit into Mexican territorial waters; and

—Whether we have a unified border strategy?

With respect to closing the border to restrict the flow of narcotics, the consensus of the panelists was the expense of doing so would be enormous. There is also a question of balance. That is closing the border, relative to the narcotics problem, will also affect the economic or commercial traffic between the United States and Mexico. Tightening the border, however, is an achievable objective. In fact, according to the witnesses, at this time much effort is being put into tightening the border.

The southwest border initiative is for the most part being funded from current budgets. As a result of the 1986 supplemental, Customs will put additional positions in the southwest.

With respect to the role of the military, Mr. Brandemuehl indicated that they were assisting the Border Patrol in a support role.

Regarding intelligence information, Mr. Rosenblatt indicated that the United States is not receiving the kind of information it needs from the Mexican authorities. Colonel Pothier asserted that the prospects of unilaterally developing the kind of information needed were good. Efforts are underway to energize the intelligence community to provide the necessary flow of information. Mr. Cash indicated the need to use every possible technique and tool that DOD and fellow agencies have and can utilize in this collection and dissemination effort.

Admiral Yost informed the Committee that there was no right to hot pursuit. As a rule, there is no place where the United States can engage in hot pursuit without prior arrangement or treaty. Mexico is as much aware of their sovereignty as any country.

With respect to an overall strategy on the southwest border, Mr. Rosenblatt reported that the field managers meet on a regular basis. At the national level, the National Drug Enforcement Policy Board is in the development phase with respect to the southwest border initiative.

Federal War on Drugs: Past, Present, and Future (October 3, 1986)

Witnesses:

Frank Keating, Assistant Secretary for Enforcement, Department of Treasury, Chairman, Southwest Border Committee on Drug Policy Board

Stephen Trott, Associate Attorney General, Department of Justice

Charles R. Schuster, Ph.D., Director, National Institute on Drug Abuse

Major General Stephen G. Olmstead, U.S.M.C. (Ret.), Director, Department of Defense Task Force on Drugs

Admiral Paul A. Yost, Jr., Commandant, U.S. Coast Guard

John Walters, Special Assistant to the Secretary, Department of Education

Mark Dion, Deputy Assistant Secretary, Bureau of International Narcotics Matters, Department of State

Tom Kelly, Deputy Administrator, Drug Enforcement Administration

Beny J. Primm, M.D., Executive Director, Addiction Research and Treatment Corporation, Brooklyn, NY

Elsie L. Scott, Ph.D., Executive Director, National Organization of Black Law Enforcement Executives (NOBLE)

Sterling Johnson, Special Narcotics Prosecutor, City of New York

Karst Besteman, Executive Director, Alcohol and Drug Problems Association

On October 3, 1986 the Select Committee on Narcotics Abuse and Control conducted a hearing on "The War on Federal Drugs: Past Present and Future" in conjunction with the 16th Annual Congressional Black Caucus Legislative Weekend. Chairman Charles B. Rangel presided; other committee members in attendance were Congressmen Guarini, Gilman and Strang. Others in attendance were Black Caucus Members Mickey Leland and Aldon Waldon.

Chairman Rangel opened the proceedings by welcoming the panel members and attendees. He also highlighted that the hearing was directly related to the plight of Black America and the destructive impact that drugs have had and continue to have on the black community. Mr. Rangel commented ". . . we in the black community have suffered out of proportion than the rest of the nation as relates to drugs." Mr. Rangel also pointed out the fact that the drug problem is not one confined to a particular ethnic group, but more so a crisis of epidemic proportion that affects the nation.

Additionally, the issue was raised by the Chairman that although the President has declared the drug crisis a national emergency, the Secretary of State has never voiced a plan to protect U.S. border against the ". . . enemy that is being propelled in not by machine gun bullets, but certainly by cocaine and heroin . . ." Mr. Rangel expressed his bafflement at what appears to be very little activity by the Federal Government in terms of demand. He wondered at the fact that no Federal center exists to treat the multitudes of individuals afflicted by drug abuse, a situation compounded by decreased funding for State and local governments.

The Chairman told the audience that the Congress has responded to what appears to be an insufficient response by the Administration to the problem. The response consists of bipartisan efforts as reflected by the proposed Omnibus bill. The ultimate aim of the package being ". . . to give assistance to our friends overseas who want to assist in eradicating this poison from their country, to make certain that the sanctions are provided to those who just ignore their bilateral and international obligations, to help the Customs to protect our borders, to tell the military that a part of our national defense is protecting these borders against the intrusion of drugs and providing for funds for them to give assistance without doing violation to their readiness in terms of national defense."

The other major issues raised by Mr. Rangel were: the need for additional funding for frontline troops in areas such as, law enforcement, criminal justice, education and treatment and the need to expedite the entire anti-drug process. A request was also made for a demarcation of the exact role of the military in anti-drug efforts.

In summation, Mr. Rangel advised the attendees at the hearing that ". . . this is the first time that the Black Caucus and the Congress have good legislative news for you to take back home."

During the hearing these were two separate panels, federal witnesses testified first, and members of the expert panel testified next.

The Federal panel testimony opened with Mark Dion, Deputy Assistant, Bureau of International Narcotics Matters (INM), Department of State. Mr. Dion advised the members and the audience that the (INM) is the policy-making agency for the governments international narcotics control effort: they establish guidelines and conduct the diplomatic negotiations between our government and the governments of narcotics and transit nations on crop control, interdictions and other narcotics enforcement. They are also involved in funding projects for crop eradication and conduct seizure operations.

The point was clearly made by Mr. Dion that the INM works closely with the DEA, Customs, Coast Guard, the Department of Justice, Agency for International Development, and the intelligence Community.

The tools cited for use by the (INM) include exercising leverage via U.S. diplomats in other countries, and linking money and commodity disbursements to agreed upon anti-narcotic programs. Additionally, efforts such as economic assistance and development programs were identified as effective programs. Last, the Congress' willnessness to defund foreign assistance to countries guilty of noncompliance with agreed upon drug strategies.

Frank Keating, Assistant Secretary for Enforcement, Department of Treasury, Southwest Border Committee on Drug Policy articulated the Treasury Departments' agenda. The Assistant Secretary is responsible for oversight of Treasury Department enforcement operations inclusive of the agencies involved in areas related to narcotics trafficking, especially the Customs Service, a lead agency for interdiction efforts.

Mr. Keating also outlined the scope of Operation Alliance, a special effort to apply resources to the Southwest border, a region significantly affected by a shift in narcotic trafficking patterns. According to the Assistant Secretary: ". . . one-third of the marijuana coming into the United States is grown or transshipped through Mexico, upwards of one third of the cocaine and one-third of the heroin also comes from Mexico."

Operation Alliance is an attempt to galvanize various elements of State and local government to do something about the drug threat. The Treasury Department will dispatch 384 customs officers, inspectors and agents along the border between now and the first of the year. Treasury will also assign 1100 IRS agents and support personnel and the Department of Justice will assign 188 DEA agents and approximately 75 FBI agents. Additionally, various technical resources will be applied within the context of this overall effort.

General Olmstead spoke to the responsiveness of the military to civilian requests for interdictive efforts and technical assistance. He said ". . . in fiscal year 1985, the Department of Defense honored nearly 8,000 individual Federal, State and local law enforcement agency requests for assistance." The general in closing reiterated the importance of not only drug interdictive efforts, but especially drug education; he also reaffirmed the position of (DOD) to maintain its integrity.

Mr. Steve Trott, Associate General, Department of Justice articulated his agency's perspective on drugs. Mr. Trott spoke to the fact that in 1982 the Department of Justice established drug law enforcement as the number one enforcement priority in the United States. Additionally, it was pointed out that the FBI was brought in for the first time into the war against drugs. The organization of the Organized Crime Drug Enforcement Task Force (OCDETF) program was also highlighted as an attempt to regionally coordinate prosecutable, investigative and technical expertise in drug trafficking.

Another program addressed was the development of the National Narcotics Border Interdiction System (NNBIS) to supplement the South Florida Task Force, and both vice presidential and presidential initiatives to interdict the flow of drugs and narcotics. Efforts to target eradication around the world were discussed in conjunction with international agreements in extraditions proceedings with Colombia.

Mr. Trott also spoke to policies directed at bank secrecy problems and agreements reached with jurisdictions in the Caribbean such as the Cayman Islands, Turks and Caicos. The last issue addresses by the associate Attorney General pertained to demand reduction in the United States; with the notion that it is necessary to ". . . change America's attitude about drug use, to destroy the myths and nonsense that comes out of the '60s and '70s."

Admiral Paul A. Yost, Commandant, United States Coast Guard addressed his agencys' orientation to drug enforcement. As the new Commandant of the Coast Guard, he has placed drug law enforcement as the highest priority. The Coast also works closely with the National Drug Enforcement Policy Board.

Historically, the agency has attempted to intercept drug carrying vessels as they transited the major Caribbean passes. In 1984, new tactics were instituted, designed to harasss, disrupt, survey, and interdict drug traffickers and their contraband. The new operations were conducted in conjunction with the National Narcotics Border Interdiction System (NNBIS). The efforts of operations Hat Trick I and II along with Wagonwheel were multi-agency collaborations. Personnel were directed from other assignments to fully carry out the scope of short term intensive operations.

Admiral Yost also spoke about legislation that would modify the Mansfield Amendment, which allegedly inhibits the Coast Guard's ability to conduct coordinated law enforcement efforts with neighboring countries and its ability to enforce U.S. law in foreign territorial seas, despite the consent of the other nation.

Admiral Yost concluded by saying he believes ". . . we feel the bulk of the cocaine is still entering the U.S. by air on a daily basis." The problem he stated requires the cooperative effort of all agencies to efficiently resolve the dilemma.

Dr. Charles L. Schuster spoke on behalf of the National Institute for Drug Abuse (NIDA). The initial statement of Mr. Schuster was ". . . if we can't reduce the number of customers who wish to buy those drugs, no drug abuse campaign can ever be fully successful." NIDA takes the tact of utilizing three epidemiological surveys to assess the extent of the drug problem.

The surveys include households, national high schools, and DAWN—the Drug Abuse Warning Network. This information is also supplemented by reports from 27 metropolitan area hospitals, regarding the emergency care administered in cases of drug abuse.

Dr. Schuster commented on some statistical findings from the surveys. According to Dr. Schuster ". . . in about 1979, the use of marijuana by all of the indicators or use of PCP and a variety of other drugs, reached a peak and then declined through 1984, with the exceptions of cocaine. Data for 1985 indicates that the decline has bottomed out."

Cocaine and specifically "crack" is attributed overdose deaths by the threefold margin, in addition to the fact that demand for treatment has increased threefold over the last three years. The reasons attributed to this phenomena are: the development of smoked cocaine, which is more toxic and causes death more rapidly, plus the fact that intra-nasal consumption medical manifestations take two to three years to show up.

Dr. Schuster said NIDA's mission is primarily research oriented, second, they are concerned about the effect of environmental influences, and finally prevention modalities. He stated his support of the "Just say No" campaign, and also spoke to the program called Cocaine Big Lie.

As regards to blacks, Dr. Schuster said based upon the National Household Survey, NIDA is attempting to sample Hispanic and blacks to determine the prevalence of drug abuse. Also, they are attempting to identify if minorities are disproportionately affected by drug consumption and abuse.

AIDS statistics were cited, and a revealing fact by Dr. Schuster was ". . . about 25 percent of the AIDS victims in the U.S. are intravenous drug abusers." Seemingly, a disproportionate number of these individuals are black. He said that it is very important that ". . . we get people into treatment earlier before they have contracted this virus and thus prevent the spread."

Finally, Dr. Schuster spoke to efforts NIDA is involved in with community groups to promote prevention. He cited their work with Parents in Actions, dealing with residents in North Oakland, along with LINKS another black community organization which has developed a national base.

John Walters, Special Assistant to the Secretary, Department of Education provided testimony on his agencies orientation on the issue of drugs. Mr. Walters stated that the Secretary of Education has been dedicated to drug education and abuse long before assuming his cabinet level duties. Mr. Walters said the Secretary's goal is to rid drugs throughout the nations' school system.

According to the special assistant, a recent survey indicated in 1985 61 percent of all high school seniors had tried illicit drugs, and forty one percent had used drugs other than marijuana.

A 1983 survey indicated that 25 percent of fourth graders reported peer pressure to try alcohol and marijuana. Among seventh graders, 50 percent reported pressure to try marijuana.

Mr. Walters also expressed his concern about specific drugs of choice, cocaine and PCP, phencyclidine, especially among inner city youth. The Select Committee was also advised that 80 percent of high school students felt drug dealing laws are too lenient and drug use laws are also too lenient.

The Department of Education is concerned with the drug problem because students are taking drugs in school, it undermines students academic performances, and drugs can disrupt an entire school. According to the Secretary: "The most fundamental responsibility of the adults in any society is the nurture and protection of its children."

The response by the Department has been to develop "What Works" a guide to teaching and learning for educators, parents and community groups and "Schools Without Drugs" a how to guide to overcoming student drug use. The latter publications is based upon input from drug prevention experts and different segments of the community. The booklet also expresses the extent of the problem and how dangerous it is.

Mr. Walters also addressed the Administration's legislative package that included the Drug Free Schools Act of 1986. The package is a $100 million grant program for communities. Seventy million would go directly to the states, with $10 million for national drug prevention activities and $20 million would be used for Federal discretionary grants for research and program development. Mr. Walters also stated that the Secretary has become a regular member of the National Drug Enforcement Policy Board. The Department has also been working with the Department of Justice and the Coordinating Council on Juvenile and Delinquency.

In summation, the Special Assistant commented that the national battle against drugs will not be won by the government, but more so by parents and community groups that can be allies of the schools. The Special Assistant also stated that religious groups must also join the fight because ". . . the fight against drugs is, after all, a fight for our children's souls."

At the conclusion of the Federal Panel testimony, questions were posed by the Chairman. To Mr. Walters the question was posed regarding the total education budget which is $18 billion, of which only $3 million is earmarked for drug education.

Mr. Rangel also inquired of the State Department which country has the most effective marijuana and cocaine eradication program. The response by Mr. Dion was that Columbia destroys 85 percent of marijuana grown on the north coast areas, and that herbicides are sprayed on the coca bush via aerial and backpack applications. The herbicide program has been in existence since 1985.

To the DEA, the question was posed regarding the number of agents assigned to the U.S. and around the world during 1975–1976. Mr. Kelly of DEA responded with an approximate figure of

2,500. His response was confirmed by Mr. Trott of the Department of Justice.

Mr. Sterling Johnson, Special Narcotics Prosecutor, City of New York communicated his perspective on drug abuse. Mr. Johnson expressed his happiness with the passage of H.R. 526 in the Omnibus Drug bill. He acknowledged the President's package as a good effort.

Mr. Johnson commented that he works very closely with treatment and education people in New York. Additionally, he spoke to the extensive cooperation that exists between Federal law enforcement agencies. He did cite procedural problems that exist with the Immigrations Service that make it difficult, if not impossible, to deport individuals who are aliens and guilty of breaking drug laws.

Lack of Federal financial resources were also cited as a problem that affects Mr. Johnson and his office as they interact with those Federal agencies. Typically his office will fund special operations that DEA or FBI has no money to conduct.

Mr. Johnson gave praise to the cooperative Federal/State forfeiture program that has worked well in New York. He gave one example of a forfeiture of $1 million, of which his office received $243,000, those monies in turn have been used by his office in undercover operations. The special prosecutor did say that more tools are needed, specifically dollars above and beyond what is currently appropriated.

In closing, Mr. Johnson said the existing problem is very real and that it is our collective responsibility to eliminate the problem. Ms. Elsie L. Scott, Ph.D., Executive Director, National Organization of Black Law Enforcement Executives (NOBLE), provided her organizations' perspective. The concern of NOBLE pertains primarily to law enforcement and community issues. Ms. Scott spoke to random drug testing for police, jurisdictional concerns of Federal and local law enforcement, forfeiture and asset seizure law, Gramm-Rudman budgetary impact, the efforts of NIDA in relationship to minorities and appropriations for the prison system.

As it relates to forfeiture and asset seizure law, Ms. Scott remarked that some black police chiefs feel they get short changed on the final disbursement of seized assets. Gramm-Rudman budgetary implications were directly related to NOBLE members. Ms. Scott articulated the problem of trying to develop good programs without funding. Specific mention was made to the need for relevant anti-drug themes for black youth other than "Just Say No". In terms of other education themes, Ms. Scott questioned what type of creative programs could be initiated to reach minority youth. Additionally, greater concern needs to be focused on education programs involving alcohol.

The last two areas addressed by Ms. Scott were prison system appropriations and treatment programs. She raised the question of the usefulness of arresting individuals if there are no places to send them. Particular concern was expressed for the individual addicted without any recourse to adequate and effective treatment.

Dr. Benny Primm, Executive Director, Addiction Research and Treatment Corporation, was the last participant in the hearing. Dr. Primm primarily addressed the AIDS epidemic and blacks, and the NIDA high school survey.

As it pertains to AIDS, Mr. Primm pointed directly to the causal relationship of intravenous drug abuse and AIDS. Mr. Primm said 17 percent of 25,000 afflicted AIDS patients are intravenous abusers. Approximately 55 percent of those affected are black. Approximately 61 percent of all children born in this country are born to black people who have a problem with AIDS. Additionally, 35 percent of all blacks afflicted with AIDS are homosexual or bisexual male from different stratum of society. Mr. Primm also said that the principal killer of blacks in New York City between the ages of 20 and 40 is AIDS.

In conclusion, Mr. Primm commended NIDA for its sensitivity in including blacks in their sampling survey. He also cited NIDA for the unique approach taken in including black researchers in the field of substance abuse. Finally, Dr. Primm strongly encouraged that prevention and education programs be started immediately both in drug abuse and around the issue of AIDS.

Drug Trafficking and Abuse in the Los Angeles Area (October 31, 1986)

The Select Committee, in conjunction with the Education and Labor Committee as well as the Subcommittee on the Treasury of the Appropriations Committee, conducted a joint hearing on the morning of October 31, 1986, to look into the drug trafficking and abuse situation in the Los Angeles area. The hearing had been requested by Los Angeles Congressmen Roybal, Dixon, Dymally and Hawkins.

Testifying were: Rev. Bryan Jones, Bethany Episcopal Church and representative of the United Neighborhood Organization (UNO); Sheriff Sherman Block; District Attorney Ira Reiner; Ms. Gwen Cordova, Holy Spirit Catholic Church and the South Central Organizing Committee (SCOC); David Amitai, House of Uhuru; Mike Watanabe, Director of the Asian-American Drug Abuse Program; V.G. Guiness of SEY YES, Inc.; L.A. Assistant Chief of Police Barry Wade, and Lt. Roger Coomes (D.A.R.E.); Rita Walters, President, Los Angeles Board of Education; Dr. Jane Godfrey, Principal, Van Nuys High School; Dr. Irma H. Stranz, Director, Drug Abuse Program Office, Los Angeles Department of Health Services; and Dr. Mimi Silbert, President, Delancy Street Foundation; Inglewood Councilman Danny Tabor; and Mr. Leo Mouton of the Greater Los Angeles Council on Deafness.

The Federal representatives panel consisted of: Thomas Hunter, Special Agent-In-Charge, DEA, Los Angeles; William Logan, Coordinator, Operation Alliance, U.S. Customs; Captain Terry L. Lucas, Chief of Staff, 11th District, Coast Guard; John. F. Shaw, Assistant Commissioner for Investigations, Immigration and Naturalization Service.

The hearing's findings and recommendations are summarized:

—UNO and SCOC pointed out that there are 225 prosecutors in New York City's U.S. Attorney's office versus only 65 in Los Angeles' U.S. Attorney's office. Los Angeles has only 120 DEA agents compared to New York City's and Miami's approximately 300 each. The community organizations called for a Federal drug audit by GAO to determine whether or not funds are fairly distributed and the effectiveness of various Federal drug programs.

—Cocaine is in such plentiful supply in Los Angeles, it has dropped from $65,000/kilo in 1981 to $21,000/kilo (D.A. Reiner estimated it to have fallen below $20,000) in 1986.

—The Los Angeles Police Department seized over 10,000 pounds of cocaine in first 9 months of 1986, $21 million in cash, $2.2 billion overall in narcotics and made over 30,000 arrests.

—LA County has a population of 7.9 million in a state of 25.6 million. During 1984, 46 percent of the adult misdemeanor drug-related arrests, 47 percent of the adult felony arrests, and 36 percent of the diagnosed and reported drug-related deaths in the state were in LA.

—There were 107,000 drug-related arrests (1,834 per 100,000 persons), a 57.8 percent increase in such arrests.

—LA is increasingly becoming a major transshipment point for Mexican heroin. In 1984, LA accounted for 10 percent of the heroin seizures in the U.S. By 1985, it had risen to 50 percent of U.S. heroin seizures.

—"Rock" or "Crack" cocaine has been in LA since 1981 and is not considered as prevalent as in NYC. It sells for about $35 per quarter-gram.

—DEA in joint operations with State and local agencies has seized $54 million in 1985, 14 percent of DEA's total asset seizures.

—In the first 11 months of FY 86, INS officers (nationwide) seized narcotics with a total estimated value of $170.4 million. In LA, INS seized 13 pounds of "China White" heroin worth $20 million.

—An estimated 94,000 to 97,000 of the nation's 500,000 heroin addicts are in Los Angeles County. Mexican "black tar" heroin has became the heroin of choice in the area.

—Los Angeles is the country's largest PCP manufacturer.

Drugs and Youth

—Street gangs, a serious problem in LA, are getting more involved in drug trafficking. Los Angeles has over 400 street gangs with a total of around 50,000 members. Gang members are frequently armed with automatic and semi-automatic weapons, the most popular being the Uzi machine gun.

—Last year weapons found in LA school lockers went up over 400 percent. There was a 33 percent increase in hard drug use on campuses. Gang related homicides are up by 25–30 percent.

—The DARE (Drug Abuse Resistance Education) program is jointly sponsored by the LAPD and the LA Unified School District. It is a 17-week curriculum for fifth and sixth grade students by uniformed police officers. It is used in all the elementary schools and all of the junior highs in the City. Over 60 agencies nationwide have been trained in the DARE program.

—In addition to DARE, there is project SMART with the University of Southern California and the LA County Sheriff for 6–9th graders (it is against tobacco, alcohol and marijuana). Project IMPACT, a pilot program, is a prevention and interdiction program. Students arrested for drug possession are placed in this 12-week awareness program.

—70 percent of the arrests made in schools in 85-86 were for possession of marijuana. Arrests were down 12 percent from previous year.

Treatment

—Heroin abuse is up;

—PCP abuse is declining; and

—Cocaine abuse is rising sharply.

These three drugs account for 91 percent of treatment admissions in LA.

—Of the 34,402 drug treatment admissions, 71 percent were for heroin; 12.4 percent for cocaine; 7 percent were for PCP. The remaining almost 9 percent had to do with opiates other than heroin, amphetamines, marijuana or hashish.

—75 percent of the child abuse and neglect cases in Los Angeles are drug-related.

—Poly-drug abuse is prevalent. Hospital emergency room admissions for drug-related problems average 1.5 drugs and drug-related deaths show an average of 2.5 drugs in the victim's system.

—There are 2 males for every female in treatment.

—42 percent of those in treatment are white, 36 percent are Hispanic, 20 percent are black and other ethnicities, such as Asian-American or Indian, account for the remaining 2 percent.

—Among blacks, PCP is no longer the primary problem; cocaine has replaced it.

—Among Hispanics, PCP has replaced heroin has the primary problem.

—The gross budget for treatment in LA County is about $27.7 million. Of that, $22 million are public funds and about $7.7 million are Federal funds.

—Community-based treatment programs are full with waiting lists for 30 to 60 days.

—There has been a 36 percent decrease in treatment slots since FY 1981. It is estimated that at least $8 million will be needed to replace the slots that have been lost. Waiting time for residential treatment programs can be up to 8 months; for methadone maintenance up to 12 months.

—The treatment system has never fully recovered from the cuts imposed by the 1981 omnibus block grant bill.

—Would like to see a computerized information and resource network or clearinghouse so they could assess the latest information regarding research and evaluation, prevention and treatment resources and trends.

—Would like to see standard health insurance required by Federal law to cover drug abuse treatment. Currently only 5 percent of the clients entering treatment carry health insurance applicable to their care.

—A need was stressed for drug abuse treatment for the hearing impaired who need treatment professionals who can communicate directly or with the assistance of an interpreter.

AGENCY BRIEFINGS

Central Intelligence Agency Briefing (April 22)

An issue of continuing concern to the Select Committee, and one that arises frequently at our hearings, is the need to expand and improve narcotics intelligence. As part of the Select Committee's continuing oversight of drug abuse matters, the Committee asked the Central Intelligence Agency for a briefing on the CIA's role in Federal narcotics control efforts and specifically the agency's responsibilities for and participation in narcotics intelligence collection, analysis and dissemination.

On April 22, representatives of the CIA briefed the Select Committee. The session was closed due to the sensitive nature of the material presented. General topics discussed included: the commitment of resources by the intelligence community to narcotics intelligence; assessments of narcotics production, processing and trafficking in major drug source and transshipment countries; the CIA's role in assisting other Federal drug enforcement agencies; and the reported involvement of Nicaraguan officials and elements of the Contra forces in drug trafficking. The Committee was also informed that various initiatives were under review in the White House to employ to a fuller extent intelligence community and Defense Department resources in countering the drug traffic.

In June, Vice President Bush publicly disclosed the existence of a national security directive, that had been signed recently by the President, relating to narcotics. This directive defined drug trafficking as a national security threat and allowed increased use of the military to stop the flow of illicit drugs. In disclosing the existence of the directive, the Vice President said, "For the first time, the U.S. Government specifically states that the international drug trade is a national security concern because of its ability to destabilize democratic allies through the corruption of police and judicial institutions."

In meetings with representatives of the military in 1985, Committee Members had urged the Defense Department to increase support for civilian drug interdiction efforts, arguing that the unchecked drug traffic into the United States posed a grave threat to our national security. At that time, the military representatives had replied that drug trafficking could be a national security threat, but it was not deemed to be a military threat to which the Defense Department need respond. The new directive clearly seems to portend an enhanced role for the military in suppressing drug traffic, as advocated by the Select Committee.

DEA Briefing on Domestic Marijuana Eradication (July 1)

On July 1, 1986, Mr. Don Strange of the Drug Enforcement Administration (DEA) met with Select Committee staff to discuss 1986 funding levels and program goals for the domestic cannabis eradication/suppression program and to review and highlight major accomplishments of the 1985 program.

Mr. Strange informed staff that DEA had increased allocations to the program from $3.15 million in 1985 to $3.58 million in 1986. While there is no exact record of what the States themselves spend on eradication, it is clear that for most States DEA funding makes their programs possible.

He went on to point out that there is no reliable estimate of the total amount of marijuana currently grown in the United States, and that all that is reported is what is sighted. He said sighting methods are improving. Over the past few years, campaigns against growers have been especially successful in California and Georgia, but overall there remains a pressing need to improve coordination and cooperation among Federal, State, and local enforcement officials.

Two other points regarding goals and activities for 1986 were also highlighted. First, Mr. Strange expressed a need to establish a public relations campaign against the propaganda by NORML, which claims that marijuana is our biggest cash crop and is such a huge problem that it is useless to try to do anything about it. Second, he indicated that paraquat will not be used again for spraying because of the labeling problem with that product. Glyphosate will be used instead.

In regard to 1985, Mr. Strange revealed that all 50 states participated in the program for the first time. Eradication efforts resulted in the destruction of 39,231,479 plants in 39,745 plots. Arrests totaled 5,151, and 1,768 weapons were seized. The increase in the number of plots and plants eradicated is due to an increase in manpower, financial resources, and refined reporting procedures, as well as increased public awareness and public participation in the overall drug abuse prevention program. It was also noted that there was an increasing incidence of indoor operations reported by 26 states, with seven states reporting marked increases over 1984. These states were: Oregon, California, Virginia, Kentucky, Maine, Ohio and Vermont.

INTERNATIONAL ACTIVITIES

European Parliament (January 6–8)

From January 6 to 8, 1986, Members of the U.S. Congress and Members of the European Parliament met in Dublin, Ireland, to discuss matters of mutual interest and concern between the two bodies. The European Parliament exercises democratic control over the running of the European Community, whose 12 member states have agreed to share a measure of sovereignty in order to facilitate the adoption of common policies where joint action would be greater benefit to all.

Select Committee Ranking Minority Member Benjamin A. Gilman attended the meeting and address the Parliament on the evergrowing global dimensions of drug abuse and drug trafficking. In his address Mr. Gilman urged action to forge a new spirit of bilateral and multilateral cooperation to reduce the supply and trafficking of illicit narcotics. He made particular reference to the recent Select Committee study mission to the drug producing nations of South America. The sad result of increased drug production in South America, he said, is that not only the United States but also Western Europe is being inundated with cocaine. Europe already has ample supples of heroin, hashish and other psychotropic substances, and the influx of cocaine has made the drug abuse and trafficking situation in Europe a grim one, he said. He noted that cocaine seizures are up dramatically in France, Portugal, and the United Kingdom.

Mr. Gilman went on to say, however, that despite these bad developments, there are reasons for hope. One is that drug producing and trafficking nations are becoming consuming nations. They are realizing the negative consequences of drug abuse and are increasingly recognizing the need to combat it vigorously. To assist these countries, he urged increased contributions to the United Nations Fund for Drug Abuse Control (UNFDAC), as well as the adoption of multilateral agreements such as the one recently passed by the European Parliament providing $7 million in support of the Thai Master Plan.

He concluded by urging cooperation in the development of strong and effective regional strategies for narcotics control, which must include technical and financial assistance for narcotics control projects, as well as crop control and substitution agreements. In addition he urged the creation of a Liaison Committee between Members of Congress and the European Parliament for the exchange of information and ideas in accomplishing these goals. Without such cooperative efforts, he said, we will surely fail in our fight against drug trafficking and drug abuse.

Study Mission to the Southwest Border and Mexico (January 12–19, 1986)

EXECUTIVE SUMMARY

The Select Committee on Narcotics Abuse and Control completed an eight day study mission to the U.S.-Mexican border and Mexico City, held January 12–19, 1986, to study the reports of increased drug production in Mexico, increased drug trafficking activity through Mexico into the United States and the law enforcement and drug abuse problems created in the border States by the influx of drugs from Mexico. The mission was conducted at the request of Members of the Congressional Border Caucus.

Mexico has been a major traditional source of the heroin and marijuana consumed in the United States. From the early 1930's through the mid-1960's Mexico dominated the U.S. marijuana market, supplying at least 95 percent of that illicit substance. The advent of Jamaica, Colombia and parts of the United States as producers of marijuana, as well as an intensive marijuana eradication campaign starting in 1975 in Mexico, utilizing the herbicide paraquat, diminished the Mexican share of this cultivation to a low of about 4 percent of the American marijuana market in 1981.

However, there has been a resurgence of Mexican marijuana cultivation since then, bringing the total production of Mexican marijuana consumed in the U.S. to an estimated 35 percent in 1985. It is produced in virtually every region of Mexico. In 1984, a total of 70 metric tons of marijuana were seized at Ports of Entry along the Mexican border. In the first half of 1985 already 54 metric tons were seized.

Opium has been illicitly produced and smuggled into the United States from Mexico since the early 1930's. It did not comprise a major share of the U.S. market until the demise of the "French

Connection" in 1972. At that point in time French manufactured heroin accounted for about 80 percent of the supply; Mexican, 15 percent; and Southeast Asian, 5 percent. Criminal organizations in Mexico scrambled to meet the void in heroin supply created by the cutoff of French heroin. By 1975 Mexico was the source of 87 percent of the heroin consumed in the U.S.

The Mexican government responded with an intensified opium eradication program utilizing the herbicide spray 2,4-D applied by helicopter. This program was effective and Mexican production declined to a low in 1979 of about 30 percent of the U.S. market. Since then, however, it has been steadily increased to maintain an estimated 30 to 40 percent share. The estimate for 1985 was that it represented about 42 percent of the total U.S. heroin market, which was growing.

Most of the opium grown in Mexico is cultivated in the tri-state area of Chihuahua, Durango and Sinaloa. The delegation went to Culiacan in Sinaloa where they inspected a recently eradicated opium poppy field and witnessed the aerial spraying of 2,4-D onto another.

The Committee was unable to obtain accurate statistics on either opium or marijuana cultivation and eradication; each source had a different estimate. Total production of opium was estimated within the broad range of 21 and 45 metric tons.

However, a trend in the estimates was consistent: the cultivation of opium poppies, production of heroin, and the cultivation of marijuana are increasing substantially. The number of hectares eradicated may be debated, but the fact remains that eradication is being rapidly outpaced by production. Evidence in the United States corroborates this: much higher prices, indicating a dramatically increased supply.

While the Select Committee has often lauded the Mexican government's narcotics control efforts in the past, confidence in the success of their programs has been diminishing over the last several years. With the kidnapping, brutal torture and murder of DEA Special Agent Enrique Camarena, the American public was shocked into recognition of the lack of Mexican cooperation in narcotics control and the severe corruption inherent in their law enforcement system.

The Mexican Attorney General asserted that the Camarena murder, in his opinion a desperate retaliatory measure for the seizure of 8,000 tons of marijuana at Chihuahua, was an indication of effective narcotics control efforts. The Select Committee's findings do not support that.

The lack of progress in the Camarena investigation, due in part to insufficient resources and in part to unknown degrees of corruption at various levels of the Mexican government, is an indication that narcotics law enforcement in Mexico leaves a great deal to be desired. U.S. officials voiced frustration that they were doing much of the investigation and yet the evidence they presented to the appropriate Mexican law enforcement officials was not being used.

The Committee feels it is important to pursue the investigation of Special Agent Camarena's death and to bring those responsible to justice. In addition to righting a gross injustice, the investigation would be a step toward eliminating corruption within the Mexican narcotics law enforcement and judicial system, a problem which seriously needs to be addressed.

The Select Committee encourages enhanced detection and eradication efforts in Mexico. The Committee is extremely concerned at the sharp increase in the production and availability of Mexican narcotic crops.

In addition, with the tremendous increase in coca production in South America, the volume of cocaine transiting Mexico destined for the United States has also increased dramatically. The Select Committee would like to see intensified efforts to combat this serious problem.

U.S. Customs and Coast Guard officers, DEA agents, State and local law enforcement agents are completely overwhelmed by the volume of drugs entering the U.S. Their frustration was voiced repeatedly throughout the mission. Many felt that even with increased resources and manpower they would still be virtually helpless against the vast number of traffickers who possess high-tech equipment and engage in sophisticated countersurveillance activities to avoid Coast Guard and Customs patrols.

The inability to control the supply of narcotic and psychotropic substances had driven many law enforcement officials, traditionally supply reduction advocates, to call for intensified demand reduction initiatives. The Committee was urged repeatedly by law enforcement officers to intensify Federal efforts to educate the American people on the dangers of drug abuse and thus to decrease demand for these illicit substances.

Accompanying the increase in the volume of drugs smuggled through the border States in recent years, is an increase in drug abuse within those States. Like other States with severe narcotics abuse problems, treatment professionals feel crippled by the substantial cutbacks in Federal support for drug treatment under the Alcohol, Drug Abuse and Mental Health Services Block Grant. The Committee recommends that some of this funding be restored.

In conclusion, the Committee found the situation along the U.S. Mexican border totally out of control and threatening, not only to the region itself, but to the entire country. Significant steps must be taken soon in order to impact on the traffic of heroin, marijuana and cocaine from Mexico and hence on the abuse of those substances which causes so much pain and suffering to the American people.

The Border

EL PASO

The Select Committee delegation arrived in El Paso on Sunday, January 12. That afternoon, the Committee was given a series of briefings at the El Paso Intelligence Center (EPIC) on the Center's operations.

Initially a Drug Enforcement Administration (DEA) and Immigration and Naturalization Service (INS) operation. EPIC has been expanded both in the number of participating agencies and in its geographic scope. In addition to DEA and INS, Federal agencies now participating in EPIC include: Customs; Coast Guard; Bureau of Alcohol, Tobacco and Firearms (BATF); U.S. Marshals Service;

Federal Aviation Administration (FAA); Internal Revenue Service (IRS), and the Federal Bureau of Investigation (FBI). State law enforcement agencies also provide intelligence and have access to information through EPIC.

While EPIC also deals with immigration and contraband intelligence, its primary objective is to provide a complete and accurate intelligence picture of drug movement by land, sea, and air throughout the world, with an emphasis on drugs targeted for the U.S. Officials briefed Committee members on inspection procedures and problems, especially as they relate to narcotics control at the ports of entry (POE) in El Paso and San Diego.

EPIC officials stressed the need to expand their operation, indicating that the volume of raw intelligence far outstrips their data analysis capabilities. There are two Federal intelligence agencies which currently do not participate in EPIC's activities: the Central Intelligence Agency (CIA) and the National Security Agency (NSA). Ideally, EPIC would like to work with both agencies to enhance its ability to collect, coordinate and disseminate intelligence relating to immigration, narcotics and other contraband.

The delegation left EPIC for the border crossing station where they were briefed on the station's operations. They were given the opportunity to observe INS and Customs inspect vehicles and persons crossing into the United States. In addition, they witnessed a specially trained dog sniff out concealed narcotics from under a car.

The El Paso hearing was held on Monday morning, January 13.

TUCSON AND NOGALES

The delegation then proceeded to Tucson, where a hearing was conducted the following morning, Tuesday, January 14.

On Tuesday afternoon, the delegation proceeded to Nogales, Mexico, where a meeting had been arranged with Mexican narcotics officials. The meeting did not prove satisfactory as the Mexican officials were not authorized to discuss their narcotics enforcement operations or disclose any enforcement statistics to the Select Committee delegation.

SAN DIEGO

The Committee arrived in San Diego late in the afternoon of Tuesday, January 14.

The delegation was briefed that evening at the Border Patrol station outside of San Ysidro, California. That particular station covers 16 of the nearly 2,000 miles of U.S.-Mexican border. While it is believed to be one of the most heavily used routes for illegal entry into the U.S., Committee members were amazed at the number of arrests made there. For example, during the four days immediately preceding the Committee's arrival, a total of 8,200 persons were apprehended attempting to illegally enter the United States in that area.

In FY 1985, the Border Patrol arrested approximately 1.5 million persons for illegal entry along the entire southwest border. Border Patrol officials estimate that they stop, at best, half of them. Of this group, 427,772 were arrested in the San Diego sector. Of the

1.5 million arrested in 1985, 862 were charged with narcotics violations.

The delegation was taken out into the field and shown how the Border Patrol agents detect persons trying to enter the U.S. after dusk. The site chosen was along the north (U.S.) side of a wide canyon dividing the United States and Mexico. On the opposite slope (Border Patrol agents estimated it was a distance of approximately 1½ miles) one could see many tiny specks of light. Using special infrared telescopes, the light sources were revealed to be large bonfires, and around each of them were groups of 20–40 persons, huddling in the cold, waiting for the opportune moment to steal undetected to the other side. Delegation members were impressed by the dedication and skill of the Border Patrol agents with whom they met.

On Wednesday, January 15, the Committee was briefed by INS and the U.S. Customs Service at the POE in San Ysidro. It is believed that much of the drugs entering the United States comes right through the POE's where the immense volume of traffic and limited number of Customs and INS inspectors allow only cursory inspections of cargo, vehicles and pedestrians. The use of specially trained dogs was considered highly effective in detecting narcotic substances. The drawback was that the animals do tire quickly and lose effectiveness.

The San Diego hearings was held on Thursday, January 16 and lasted the entire day.

HEARING FINDINGS

The hearings in El Paso, Tucson and San Diego revealed a progressively deteriorating situation along our border with Mexico. Major findings from the hearings are:

1. The amounts of heroin, marijuana and cocaine entering the United States from Mexico across the Southwest border have increased sharply in the past several years and continue to climb. Increased cultivation of opium poppy and marijuana in Mexico is providing greater supplies of heroin and marijuana for the U.S. market. The amount of cocaine that enters the United States via Mexico has risen dramatically because of vastly increased cocaine production in South America. U.S. Embassy officials in Mexico City estimate that Mexico now supplies 42 percent of the heroin and 30–35 percent of the marijuana consumed in the United States, and that 30–35 percent of the cocaine entering the United States transits Mexico.

2. The situation along our border with Mexico, both with respect to illicit narcotics and illegal aliens, is out of control.

Drugs are freely smuggled from Mexico into the United States by land, sea and air. Much of the drugs smuggled into the United States comes right through the POE's where the immense volume of traffic and the limited number of Customs and INS personnel makes possible only cursory inspections of vehicles, pedestrians and cargo.

In fiscal year 1985, only 52.1 pounds of heroin and 390.2 pounds of cocaine were seized at border crossing stations on the Mexican border.

Airborne smugglers can penetrate the United States almost at will because the ability to detect aircraft below 5,000 feet is almost nonexistent along the southwest border. Aircraft to intercept, track and apprehend smugglers are extremely limited. Maritime smugglers are sophisticated, well-equipped and engage in counter-surveillance activities to avoid Coast Guard and Customs patrols.

The Border Patrol apprehends and returns to Mexico only one of every two aliens who crosses our border illegally. Approximately 1.5 million aliens were arrested by the Border Patrol in fiscal year 1985. In the San Diego area, large groups of illegal aliens, numbering several thousand in total, gather along the border each evening, waiting for an opportunity to slip across. The Border Patrol stops about one half of them. This scenario is repeated nightly.

In sum, the United States lacks an effective policy to control the flood of illegal drugs and aliens across our southwest border. Federal agencies charged with interdicting narcotics and aliens are understaffed and lack the necessary equipment and other tools to respond effectively.

3. Many of the Federal and State law enforcement officials have virtually given up hope of stopping or significantly reducing the drug traffic across our border with Mexico. Customs and DEA representatives in El Paso and Tucson told the Committee that, even if they were given additional resources, they did not believe they could make significant inroads against drug trafficking, because the smugglers would increase drug supplies in response.

4. State witnesses, including Texas Governor Mark White and New Mexico Governor Toney Anaya, testified that the Federal Government has fundamentally abdicated its responsiblity to control drug smuggling across our southern border. They called upon the Federal Government to expand the DEA, Customs, and INS/Border Patrol presence along the border with Mexico.

Governor White urged increased use of the military to eliminate the national security threat posed by 18,000 undetected smuggling flights across our southern border each year. Noting that the Coast Guard does not have one high speed pursuit boat off the Texas Gulf coast, he said the State would find the funds for such a boat if the Coast Guard would staff it. Governor Anaya called for a "strategic defense initiative" to stop the drug traffic by air across the southwest border.

Both Governors said drug trafficking should be at the top of the Federal Government's list of priorities and urged increased Federal assistance to help States cope with the tremendous problems created by the influx of illicit drugs.

5. In a similar vein, local officals urged increased Federal assistance to cope with growing drug law enforcement problems. They also noted the lack of adequate Federal resources to handle Federal drug law enforcement responsibilities. For example, city and county officials in San Diego said their agencies participated with State and DEA agents in joint narcotics enforcement task forces targeting major narcotics offenders. These local officials were pleased with the cooperation and results of the task forces, but they pointed out that their participation diverted scarce local resources to investigations that should be a Federal responsibility.

6. Drug abuse has increased sharply along the border as the narcotics traffic from Mexico has grown. Cutbacks in Federal support for drug treatment under the Alcohol, Drug Abuse and Mental Health Services Block Grant has seriously affected the ability of border States to respond to the increased need for drug treatment. State and local service providers urged stronger Federal leadership and support for treatment needs.

7. Drug abuse prevention and education efforts are widely viewed as an integral part of any solution to the drug problems that plague the southwest and the rest of the Nation. A number of States, schools and communities have begun such efforts designed primarily to prevent drug abuse amoung school-aged children. Many witnesses, however, felt that not enough emphasis has been placed on developing effective drug abuse education and prevention programs. Notwithstanding the First Lady's strong commitment to drug abuse prevention, the Federal Government is generally seen as not providing effective leadership or support in this area.

RECOMMENDATIONS FOR INCREASED DRUG ENFORCEMENT AND INTERDICTION ALONG THE BORDER WITH MEXICO

At the hearings held at El Paso, Tucson and San Diego and in discussions with DEA, Customs, Border Patrol and State and local police leaders and sheriffs, the Committee elicited the following recommendations:

1. High priority and intensive diplomatic pressure should be assigned to having the drug producing countries, particularly Mexico, Colombia, Peru and Bolivia, develop and maintain effective illicit narcotic crop eradication programs. Eradication of the narcotic crop raw materials was described as the most certain way to reduce drug supply and the most effective.

2. "EPIC," the El Paso Intelligence Center, should be established as an all source narcotic intelligence center. At present 9 agencies participate in providing narcotic intelligence; DEA, Customs, INS, Coast Guard, Marshals Service, FBI, IRS, BATF, and FAA. If CIA and NSA would provide narcotics intelligence coming to their attention, EPIC would be, in effect, an all source intelligence center.

The following legislation needs were recommended to better control drug smuggling aircraft departing and entering the United States.

A. All aircraft departing the United States be required by law to file a flight plan.

B. All aircraft returning to the United States from outside the country must as a first stop land at an airport where it can clear through Customs controls.

C. Failure to comply with the flight plan and Customs clearance requirements must bring heavy penalties—felony charges against the pilot and seizure of the aircraft.

D. On the basis of Article 35 of the Single Convention on Narcotic Drugs of 1961 and Article 21 of the Convention on Psychotropic Substances of 1971, arrangements or agreements should be made for "hot pursuit" of known or suspected narcotic smuggling flights. Such arrangements or agreements should provide for application of U.S. law against the aircraft the individuals involved if they are pursued and taken into custody in a foreign country, particularly if the aircraft is U.S. registered and the individuals are U.S. citizens.

4. Given the high regard in which EPIC is held for its effective performance by Federal, State and local authorities who utilize its services, the Select Committee believes it must continue to expand and increase the security of its facility. For that reason the Committee recommends to the Congress that support be provided for the establishment of its new building at Fort Bliss, Texas, to provide the space and security EPIC urgently needs.

5. During the last year this Committee has met with the Gulf State Governors and the Governors and Attorney Generals of other States where heavy drug smuggling by aircraft is delivering increased high levels of marijuana and cocaine into their States for trafficking and national distribution. They request that the Federal Government assume its constitutional responsibility to prevent drug smuggling across our border and coastlines. Again, at El Paso, Tucson, and San Diego, the Committee was informed of the critical need for improved detection and interdiction of aircraft and vessels penetrating our borders and coasts for drug purposes. This Committee has taken testimony where expert witnesses estimated it would cost $10 billion to install the type of radar needed to defend our shores and borders against the large and small low slow flying aircraft used for smuggling drugs.

Given the $120 billion that is estimated to have been spent on drugs in the United States in 1985 and the other $100 billion in control costs, related crime and lost productivity each year, $10 billion for radar to prevent air smuggling seems to this Committee to be a viable and cost effective alternative that should be considered. It will also close a gap in our military defense to protect the Nation from terrorist incursions and sneak low level bombing attacks by would be enemies.

6. At El Paso, Tucson and San Diego, the Committee learned that the line Federal drug enforcement and interdiction agencies were not sufficiently staffed, equipped and funded to cope with the smuggling and traffic in drugs now confronting them. Any budget cuts for DEA, Customs, Border Patrol and Coast Guard under Gramm-Rudman would reduce their operations and results in more drug smuggling and trafficking. The Select Committee believes every consideration should be given to increase their resources, given the threat the illicit traffic and abuse of drugs is posing to the internal security and public health of this Nation.

7. The Committee learned that the bulk of the heroin and much of the cocaine entering the U.S. from Mexico is believed to be coming in through the ports of entry, penetrating the Customs control system. The perception at present is that official pressure is for the rapid movement of people and cargo to alleviate the long lines and time delays for people and cargo to enter the country that would result from tighter screening to prevent narcotic smuggling.

This Committee recommends that an intelligent balance be developed between allowing Customs to search people, automobiles and cargo and the pressure for the rapid movement of people, automobiles and cargo through the ports of entry.

8. In hearings at El Paso, Tucson and San Diego, the Committee concluded that the U.S. Border Patrol is performing commendably

with limited manpower, resources and equipment to deter and prevent illegal immigration against what appears to be a continuing human wave, where about one and one half million illegals will successfully enter the United States in 1986.

While the Border Patrol in the way of manpower, equipment and funding is incapable of effectively preventing illegal immigration across our borders, it is woefully less capable of preventing drug smuggling. Additionally, since drug smuggling is an auxiliary or secondary responsibility to illegal immigration prevention, the Border Patrol anti-drug activity seems to be only incidental or reactive to smuggling situations it encounters as a result of illegal immigration patrol activity.

The Border Patrol carries out air patrols along the border to detect and prevent illegal immigration. The U.S. Customs carries out narcotics interdiction air patrols and interceptions along the same border. Both the Border Patrol and the Customs Patrol are dependent upon DEA for narcotics intelligence to support their drug interdiction activity and the investigation and prosecution of drug smugglers intercepted. The Committee recommends that the Attorney General and the Secretary of the Treasury have the DEA, the Borders Patrol and the U.S. Customs Patrol Air Wing prepare a formal unified drug enforcement and interdiction strategy for the border with Mexico for the purpose of improving our efforts to prevent drug smuggling from Mexico.

9. As part of the efforts of the United States and Mexican Attorney Generals to reinstitute and revitalize effective drug enforcement cooperation between the DEA and the Mexican Federal Judicial Police (MFJP), a special effort should be made to do this along both sides of the border, to develop joint operations within 60 or 100 miles into each country to effect narcotics arrests and seizures in the traffic originating in Mexico.

THE VISIT TO MEXICO

MEXICO CITY

Immediately upon its arrival in Mexico City on Friday, January 17, 1986, members of CODEL Rangel went to the American Embassy for a briefing by Ambassador John Gavin and the narcotics control country team. In addition to the Ambassador, participating in the briefing were: Deputy Chief of Mission (DCM) Morris Busdy; DEA Special Agent-in-Charge for Mexico, Edward Heath; Narcotics Assistance Unit Chief, Richard Chidester; FBI legal Attache John Walser; Ray McGinn of the Customs Service; and Jay K. Gruner, Counselor for Regional Affairs. DCM Busby has been charged by Ambassador Gavin to direct the narcotics control effort in Mexico as his primary responsibility.

The Embassy's narcotics control program in Mexico was described as consisting of 3½ points: (1) eradication; (2) investigation; (3) public awareness; and support to interdiction efforts. The latter being only a half, because of the limited nature of what embassy personnel can do in that area.

While there are serious problems in the drug control efforts in Mexico, some positive signs are finally emerging. Operation Vanguard, a comprehensive narcotics crop eradication program, is finally being implemented after much delay. A public awareness campaign has been initiated to stress drug abuse prevention. A countrywide aerial survey of Mexico's drug production is scheduled to begin in February.

In spite of these signs of progress, there is still much more that needs to be done to achieve a successful drug eradication program in Mexico. Stressed as crucial to a successful drug program is eliminating corruption at all levels of government in Mexico.

In addition, the various units of the Mexican government involved in the drug effort need to be better coordinated. The responsibility for that, ultimately, is with the central government of Mexico, which must coordinate, not only the various Federal agencies, but also the regional and local agencies that contribute to Mexico's narcotics control effort.

A general "lack of cooperation" on the part of Mexicans involved in the many aspects of the drug fight was cited as a major stumbling block to U.S. narcotics control efforts. The continuous opposition to placing U.S. observers in Mexican eradication and aerial survey flights, dilution of herbicides made available for crop eradication and lapses in the care of the equipment made available by the U.S. for eradication are evidence of this. One example of the Mexican lack of attention toward drug control efforts was the failure, before a hurricane, to secure a helicopter used in eradication. This negligence resulted in the loss of that helicopter.

It is believed that corruption and the fear it breeds are the major reasons why so many Mexicans are not effective in their cooperative drug enforcement efforts with the U.S. In addition, the Mexican law enforcement departments lack manpower, training and resources, resulting in general inefficiency.

A sad irony is that the brutal kidnapping and murder of DEA Special Agent Enrique Camarena has ultimately benefited U.S. drug efforts in Mexico. The American outrage over this incident has brought Mexican cooperation in many levels of narcotics control, as well as some dismissals of corrupt individuals. In an effort to fight corruption, two programs of incentives for pilots, navigators and informants have been stepped up.

With as much as an estimated 42 percent of the heroin, 35 percent of the marijuana and 33 percent of the cocaine consumed in the U.S. being either cultivated in or trafficked through Mexico, the U.S. cannot afford to lessen its vigilance of the drug efforts within Mexico.

U.S. officials stress the need for Mexico to increase and intensify eradication in the major production centers. In 1985, Mexico claimed to have eradicated 5,660 hectares of opium. The U.S. estimates it is closer to 2,600 hectares. The discrepancy is said to be caused by duplication by the Mexicans of eradication projects and double counting.

Marijuana eradication was put at 2,900 hectares by the Mexican government. Again, U.S. intelligence indicates that much less was, in fact, eradicated. The DEA estimated that, during the first six months of 1985, 897 hectares were eradicated. While no figure is available yet, they estimate that eradication during the second six months was even less as a result of damage done to eradication equipment (planes and helicopters) during the earthquake and hurricane.

U.S. intelligence estimates are that in 1985, Mexico cultivated 5,200 hectares of opium and 9,000 hectares of marijuana.

MEETING WITH MEXICAN ATTORNEY GENERAL GARCIA RAMIREZ

Accompanied by Ambassador Gavin, the delegation left the U.S. Embassy to meet with Mexican Attorney General Garcia Ramirez, who is in charge of Mexico's drug control efforts, the Attorney General welcomed the delegation, mentioning the recent meeting between Presidents Reagan and de la Madrid. He made particular reference to the fact that Mr. Reagan noted the recent deaths of Mexican police in the fight against drug trafficking. He expressed deep regrets over the murder of DEA Agent Camarena.

The Attorney General described his "excellent relationship" with Ambassador Gavin, saying, "even when we disagree, we have developed an understanding with each other."

Speaking on behalf of the delegation, Chairman Rangel stated that while there is "great cooperation" between the U.S. and Mexico in narcotics control, both the quality and quantity of drugs coming across the border into the U.S. is increasing. He informed the Attorney General that the committee had touted its cooperative narcotics enforcement efforts with Mexico as a prime example of effective international narcotics control cooperation. That being no longer the case, he added, "now we must see what we can do together to achieve that progress again."

The Attorney General claimed that Mexico was indeed waging an effective war against drug production and smuggling at the cost of much blood and money. He pointed out that drug production and trafficking had been increasing dramatically worldwide and asserted that many nations were in the same position as Mexico. "Traffic brings with it violence, corruption and political instability," Mr. Ramirez stated, emphasizing, "we must strengthen our own alliance to combat this problem and not let the traffickers take advantage of any disunity between us."

The Attorney General claimed that, sadly, the death of DEA agent Camarena was proof of the success of Mexico's enforcement actions. He believed the seizure of 8,000 tons of marijuana in the State of Chihuahua (Agent Camarena was instrumental in that investigation and seizure) precipitated the Camarena kidnapping.

Concerning the status of the Camarena investigation, the Attorney General denied that Mexican authorities were "holding back" in the investigation. He claimed that more probative evidence was needed before Mexico could move against certain suspects.

Mr. Ramirez urged a more intensified effort against money laundering. He also called for additional aircraft, helicopters, and more effective cooperation between those involved in the drug control effort. Ramirez claimed that the war on drugs was at a "critical stage—justice and fair play must recognize what is being done in Mexico, and what is needed for improvement and greater success."

Congressman Gilman said, "We are hearing the same old problems still plaguing the Mexican eradication and verification effort." He noted that Congress and the American public are frustrated by the lack of progress in Mexico. He reemphasized the Committee's disappointment that Mexico was no longer the model for other drug producing nations to follow.

In response and in closing, the Attorney General suggested that a start in improving the situation would be an intensified effort to make the Vanguard Program effective.

Meeting With President de la Madrid

The President opened the meeting by stating that drug trafficking was a special concern of his and he was closely aligned with the United States on this issue. He noted that his recent meeting with President Reagan and meetings between Attorneys General Meese and Garcia Ramirez served to strengthen and broaden U.S.-Mexican narcotics control cooperation.

Yet, de la Madrid admitted, "we have a long way to go." He described drug trafficking as an "international crime" for which there is no resolution without close international cooperation. He pointed to the recent Mexican initiative to convene a conference in 1986 of Latin American Attorneys as a positive step his Administration has taken in this direction.

Chairman Rangel responded, "no one questions that our nations cooperate on this issue, but the fact remains that the production and traffic drugs from Mexico is increasing. We must go back to our cooperation of the 1970's." He urged Mexico to join with the U.S. in trust and partnership to achieve an effective eradication and verification program.

President de la Madrid asked the delegation to work towards opening up the U.S. market for more agricultural goods from Mexico, claiming that a larger market for Mexican agricultural products would lift pressures on Mexican farmers to grow illicit crops for income. He stressed the futility of forcing narcotics control cooperation on those who lack jobs or income to feed and support their families.

Mr. Shaw stated that he found this idea disturbing. He claimed that "Mexico does not have enough time" to explore a new crop substitution scheme, that time was of the essence for Mexico to begin effective eradication of illicit crops. The failure to do so, Mr. Shaw noted, would only cause Mexico to replace Colombia as the target of anti-drug sentiment in the United States.

Mr. Gilman agreed with the President's description of drug trafficking as an international criminal activity and called on Mexico to engage in increased consultive efforts at the U.N. and in regional organizations on drug issues. Mr. Gilman also called on Mexico to increase its contributions to the United Nations Fund for Drug Abuse Control (UNFDAC).

Mr. Guarini told the President that "drug availability is up, not only along our border but throughout the United States. This is causing great frustration in our country." He urged the President to join with the United States in forging a new bilateral strategy to respond to the drug crisis.

Mr. Oxley urged the President to have his country's law enforcement agencies engage in increased money laundering investigations. De la Madrid responded that Attorney General Ramirez was already moving in that direction.

In closing, Mr. Towns stated the delegation wished to convey a message from the widow of slain DEA agent Enrique Camarena. On her behalf, the delegation asked the President to use the powers and influence of his office to apprehend and bring to justice her husband's murderers.

CULIACAN FIELD MISSION

The field trip to Culiacan started with a briefing at the Operational Center of the Mexican Attorney General's Aerial eradication program at the Mexico City Airport, Richard Chidester, U.S. Narcotics Assistance Unit (NAU) Chief, co-ordinated the presentation with input from Morris Busby, Deputy Chief of Missions, and Edward Heath, DEA Special Agent-in-Charge for Mexico.

In addition to members of the delegation and both U.S. and Mexican press, the briefing was attended by the following Mexican government officials: Lic. Simon Vargas, Coordinator of the Special Bilateral Program of Cooperation and Supervision of the Campaign Against Narcotics; Lic. Jose Maria Ortega Padillo, General Supervisor of Technical Services and Criminology; Dr. Manuel Mandragon y Kalb, Director of Social Participation and responsible for ADEFAR (Public Awareness Program); Lic. Felipe Flores, Sub-Director for Press and Public Relations; and Dr. Malo Cammacho, Supervisor of Mr. Ortega.

There are presently 47 Bell 206 helicopters, 29 of which are equipped with sprayers; 13 Bell 212 transport helicopters, 3 of which are equipped with sprayers; 21 Cessna 206 fixed-wing aircraft; 1 King Aire; and 3 other transport aircraft. In all, there are 32 aircraft which are presently equipped with sprayers. Twelve additional spray kits are expected in Mexico by early March 1986. There are 2 additional turbo-Thrush fixed-wing aircraft, used exclusively for spraying, on loan from INM until mid-1986. Also by mid-1986 they expect to complete the rebuilding of another Bell 212 which had been damaged in 1983.

As a general rule, 80 percent of all of these aircraft are operational and available to fly at any one time. The remainder are usually receiving major or minor maintenance, depending upon the model and the number of flight hours logged. For example, there are currently 3 Bell 212's undergoing their 1,000 hour checkup, during which essentially all parts are inspected and replaced. This same major overhaul occurs with Bell 206's at the 1,200 hour mark.

There are usually 146 pilots involved in the program dividing the tasks of detecting illicit crops, fumigating fields and verifying eradication. Approximately 70 percent will fly at any one time. NAU's goal is to have 60 pilots flying fumigating aircraft throughout the country by the spring of the year. It expects to have 29 aircraft (Bell 206's) flying at one time, fumigating throughout Mexico, by February 1st.

The Bell 206 can carry a maximum of 65 gallons of herbicides at one time. This quantity can cover 1.18 hectares of land. NAU expected to have 2 Bell 212's up and spraying within 3 weeks. These aircraft can carry up to 250 gallons of herbicides. The quantity of herbicides is adjusted by climate conditions and altitude.

Each aircraft makes an average of 3 flights per day. Spraying becomes more difficult later in the day due to the steadily increasing heat of the sun which causes rapid evaporation of the herbicide and greater drift in application. NAU has determined that a major cost factor is the fact that several applications must be made to any one field in order to assure effectiveness. They realize that this heavy concentration of time on relatively few fields not only diminishes the possibility for wider application, but also results in increased maintenance and fuel costs.

For eradication purposes, Mexico has been divided into 13 zones. Originally, three or four aircraft were assigned to each zone. In 1985, there was a change in strategy with a decision to use "sweep" operations, involving a heavy concentration of aircraft and personnel in individual zones. This strategy was scrapped because other zones were left untreated for extremely long periods of time. Given that the growth cycle for both the opium poppy and marijuana range between 110 to 120 days, this was not a workable and efficient strategy for eradication. The "sweep" operation strategy also resulted in heavy maintenance problems and high operating costs.

It is estimated that 5,200 hectares of opium poppy and 9,000 hectares of marijuana were cultivated in Mexico in 1985. There have been ongoing problems with the eradication program in terms of aircraft maintenance, lack of adequately trained pilots, and verification of eradication, but at least from late 1975 through 1979 it was remarkably effective and while it has slipped since then, it is still the biggest and best aerial herbicide eradication program in the world, eradicating more poppy and marijuana annually than any other program.

During October 1985, for example, 560 hectares of opium poppy were sprayed, with a 40 percent verification. While this is indicative of improvement, much more must be done. Cultivation is increasing at a rapid pace, outdistancing the eradication program.

Two means by which the program can and will be made more effective are better maintenance and improved verification methods. A second maintenance base is recommended for Guadalajara in the north to complement the Mexico City base in the south. This would decentralize and reduce response time for maintenance. Additionally, a special agreement has already been reached with commercial airlines for on site delivery of spare parts. This would ensure that most aircraft parts could be delivered within 24 hours.

Helicopter pilots will be scheduled for training every six months. The training will be mandatory. Those failing to attend will be grounded. The continuous training will result in increased pilot safety, reduced aircraft abuse, consequently reduced maintenance costs, and increased air time.

During the field trip to Culiacan, the delegation was joined by additional officials of the Mexican Govenment: Lic. Antonio Villade, DIRVE, who has direct responsiblity for reconnaissance and verification; and Marto Cuevas, Coordinator for Zone 6.

Culiacan is the capital city of the Mexican State of Sinaloa. It is located in eradication zone 6 and is the center of the heaviest areas of opium poppy cultivation in Mexico 65% of the eradication in 1985 was in the mountains east of Culiacan.

The delegation flew into this mountainous area. From the helicopters it appeared that these areas were accessible by 4-wheel drive vehicles or burro over narrow packed dirt roads. In many areas it was apparent that access could be gained only by foot or burro. Areas of opium cultivation varied in size, and were for the most part in isolated locations on mountain sides. From the air, individuals could be seen hiding under trees, watching the helicopters. Several small packed dirt landing strips were also sighted.

The delegation landed at two sites. At the first site, a 1/10 of a hectare field of opium poppy was being sprayed. The young plants (3-4 seeks old) were enclosed in a fenced-in area to prevent animals from eating the plants. A hose, estimated to be several hundred meters in length and equipped with a sprinkler, provided the irrigatin. This area was sprayed as the delegation watched. Poppy plants estimated to be three months old were shown to the Members. Some had already been incised once to extract the gum. Poppy pods can be incised 3 to 5 times. It was estimated that a crop of this size would yield approximately $5,000 to the grower organizing the operation. The workers hired to do the intensive hand labor involved are low paid, but they receive more than they would for working on a legal crop.

The second opium poppy field visited by the delegation was an area estimated to be 3/10 of a hectare, or 3,000 square meters. This site had been sprayed the previous day, Friday, January 17th. The plants, estimated to be 18 days old, were already wilted. It was estimated that the field, which was also fed by an irrigation system would have yielded about 3 kilograms of opium, or slightly more than enough to produce 300 grams of opium, which would have a wholesale value of at least $65,000.

In addition to the maintenance and personnel (training) problems which the program has encountered, NAU cites extremely hazardous and stressful flying conditions to which the pilots are subjected. The areas which must be sprayed are very often located in extremely narrow valleys, leaving very little margin for pilot error. Aircraft have been fired upon by growers, resulting in the crash of one helicopter in October 1985. Two other helicopters were hit by ground fire earlier in the year. Growers have also set up "trip" wires which are intended to become entangled in the helicopters' rotors, causing crashes. Despite all of this, U.S. experts believe that 1986 will be a year in which a much greater quantity of both opium poppy and marijuana will be eradicated, reducing the availability of these Mexican drugs in the U.S.

The Committee delegation noted that this cultivation of poppy for opium was not like the traditional cultivation of the crop by peasant farmers growing it adjacent to other crops close by their homes and villages. The production visited was in remote areas with expensive and ambitious irrigation tubing and cultivation that required impressive organization and planning, considerable manpower and financial support. This cultivation was clearly not that of a peasant farmer growing a litle opium in addition to his subsistence crops for some extra income, but rather a cultivation organized by professional traffickers with as many hired hands, equipment and funding as necessary to produce opium for their laboratories to manufacture and supply heroin to the United States.

Notwithstanding this, opium poppy cultivation viewed over a wide expanse of mountain terrain was glaringly vulnerable to detection and eradication by helicopter herbicide spraying. There is no question that most, if not almost all of this crop could be destroyed by a helicopter force of adequate strength operated with efficiency and determination.

RECOMMENDATIONS

1. When this Committee visited Mexico in August 1983, it reported that "estimates of the percentage of heroin supplied to the United States from Mexico from 1979 through 1983 were between 30 and 40 percent." This was a period of time when all indicators pointed to an upswing in overall heroin availability, largely due to increasing supplies from southwest Asia, particularly Pakistan.

It noted that Mexico has maintained its 30 to 40 percent share of a steadily expanding volume of heroin in the United States since 1979. Following progressive annual increases in poppy eradication from 1976 through 1978, this leveled off in 1979. From that point on it is thought the Government of Mexico had not been able to annually increase the percentage of the opium crop eradicated. There are reports that from 1979 opium production in Mexico on an annual basis increased gradually as growers moved to widely dispersed small plots.

The Committee recommended that "the Department of State assist the Government of Mexico develop, as soon as possible the capability to survey the extent of opium and marijuana production in its territory via high altitude aircraft or satellite." This would be for the purpose of detecting and pinpointing cultivation for eradication, verification of destruction and measuring whether production is increasing or decreasing annually and how much may be actually produced.

On this visit to Mexico, the Committee learned that no steps were taken by the Department of State with the Government of Mexico to implement or even consider this recommendation until late in 1985 when arrangements were made to begin an aerial survey operation in February 1986. In the intervening two years of inaction on developing an aerial survey and detection system, indicators pointed to increasing opium production and a dramatic explosion in marijuana cultivation. By 1981, Mexico's share of the illicit marijuana traffic to the United States dropped to about four percent. In 1982 it increased to six percent; in 1983 to eleven percent; in 1984 to fifteen percent; and in 1985 to 25 percent. An aerial survey organized in 1983 as recommended could have done much to prevent these dramatic increases in opium and marijuana production in Mexico now affecting the United States.

The Committee is pleased with the start that now has been made to assist Mexico develop a narcotic aerial survey and recommends that the Department of State assign the highest priority to assisting the Government of Mexico develop a "high tech" capability to survey the extent of opium and marijuana production in its territory via high altitude aircraft or satellite. This would be for the purpose of detecting and pinpointing cultivation for eradication, verification of destruction and measuring whether production is increasing or decreasing annually and how much may be actually produced.

2. Following its 1983 visit to Mexico, the Committee recommended in its report that "Department of State should determine as soon as possible whether the number of helicopters, particularly the 33 Bell 206 helicopters used for eradication, were sufficient in number to enable the Mexican Attorney General's Office to begin again to progressively eliminate on an annual basis a greater percentage of the opium poppy crop. It recognized that through an effective aerial survey of production they could better identify poppy fields and that would make for a more effective utilization of the eradication aircraft. However, it just might be that more Bell 206 helicopters were needed to increase eradication effectiveness and a determination on this should be made."

The Committee learned on its January 17–19, 1986, visit to Mexico that this determination was never made. A dichotomy continues between the leadership of the Mexican Attorney General's aerial eradication unit and the Embassy's Narcotics Assistance Unit (NAU) on the question of whether the aviation unit has sufficient aircraft to effectively eradicate the poppy and marijuana crop. The Mexicans take the position that they do not. The Embassy NAU position is that if the aviation unit utilized its equipment more fully and effectively, it would have no need for any additional helicopters. Recently agreement was reached where the aviation unit would adopt recommendations for fuller and more efficient utilization of existing helicopters. If this proves adequate to getting the job done, no additional helicopters will be provided for the present. If it is concluded that more helicopters are needed, they would be provided. While the Mexican aviation unit concedes that improvements in the effective use of existing equipment can always be made it remains convinced that more helicopters are needed.

The Committee recommends and urges the Department of State and Embassy at Mexico City to ensure that the Mexican Attorney General's Office is utilizing its eradication program helicopters at maximum effectiveness and is once again effectively eliminating each year a larger percentage of the poppy and marijuana crop than the previous year. If additional helicopters are needed to make the progressive elimination of narcotics crop production in Mexico possible, they should be provided as rapidly as possible. Opium poppy and marijuana production in Mexico stands exposed and vulnerable to aerial detection and eradication for months at a time. Destruction of these narcotic crops is the most certain and cost effective means of preventing drug trafficking and abuse and should ~~be~~ assigned the highest priority.

The United States and Mexican Governments must together at the highest levels ensure that sufficient manpower, equipment and operational funding is provided to ensure that the Mexican aerial detection, eradication and verification force has the means to eradicate or threaten the eradication of the entire poppy and marijuana crop in Mexico.

3. When the Committee visited Mexico in August 1983, it learned that narcotic enforcement cooperation extended to the U.S. Drug

Enforcement Administration (DEA), assigned to the Embassy and Consulates in Mexico, by the Mexican Federal Judicial Police (MFJP) during the last 18 months of the Lopez Portillo administration (July 1981 to December 1982) had been ineffective, if not nonexistent. This is a situation that should not have been permitted to exist more than a few weeks, let alone a year and a half. It does not appear to be a coincidence that during the period of time where there was a breakdown in cooperation between the MJFP and DEA that a marked increase in the availability of Mexican heroin developed in the United States. The Committee was told in August 1983 that with inauguration of the de la Madrid administration, cooperation between the MFJP and the DEA returned to normal by early 1983.

In its report covering the 1983 visit, the Committee recommended that as an important first step the concept of joint narcotics prosecutions, known as the "JANUS" program should be reactivated. The concept provides for exchanging narcotic evidence, witnesses and testimony to prosecute important narcotic violators in one country on the basis of the evidence that can be gathered in both countries or third countries. The Committee believed that a series of cases could be initiated to exploit existing evidence that could be used to prosecute and convict major sources of supply, heroin laboratory operators and the financial backers of the traffic in Mexico and the United States.

On its visit to Mexico on January 17-19, 1986, the Committee learned that not even a start had been made in developing any effective prosecutions in Mexico, with the MFJP on the basis of evidence available in the United States through the DEA.

Again, in its report covering the 1983 visit, the Committee stated, "In Mexico it is not enough for the government to just eradicate the opium and marijuana crops. A vigorous joint narcotic enforcement effort by the MFJP assisted by DEA is needed to develop important heroin arrests and seizures in the traffic directed toward the United States."

Clandestine heroin laboratories should be confiscated on a regular basis. The MFJP and DEA should also work together to prevent international traffickers from using Mexico as a transit base to smuggle heroin of European and Asiatic origin, cocaine and psychotropic drugs to the United States because of the ease with with they can penetrate the United States' 2,000 mile border with Mexico.

In its visit of January 17-19, 1986, to Mexico the Committee confirmed that no progress had been made by the DEA and the MFJP to effectively address the trafficking of heroin and marijuana of Mexican origin and as much as 30 to 35 percent of the cocaine traffic from South America that is directed at the United States via the major Mexican narcotic trafficking organizations. This almost total lack of effective and meaningful cooperation by the MFJP with DEA was highlighted during 1985 at Guadalajara by the kidnapping, torture and brutal murder of DEA Special Agent Enrique Camarena and Alfredo Zaval Avelar, a Mexican aircraft pilot who had been working with him.

Sadly, there are credible allegations that members of the MFJP as well as the Mexican Security Police were corrupted into participating in the heinous crime by a conspiracy of major drug traffickers.

While hundreds of courageous narcotics enforcement officers worldwide have been killed in performance of their duties attempting to arrest violators, raid premises and seize drugs, that is the first time an officer has ever been kidnapped, tortured and murdered simply because he was a narcotics enforcement officer.

The MFJP is the agency responsible for investigating the Camarena murder in concert with what is known under the "Napoleonic Code" system of law as an "instructional judge" or "investigating magistrate." Under the supervision of the Mexican Attorney General, the instructional judge using the MFJP as his investigators is assigned to prepare a case that would identify, implicate, charge and prosecute the perpetrators of the Camarena and Zaval murders.

The MFJP and the Mexican Magistrates or Judges who have persistently failed to develop important narcotic prosecutions, notwithstanding the availability of evidence, are failing to develop up until now at least, a prosecution that will identify all of the conspirators and bring them to justice. If this cannot be done, there is little or no hope that the MFJP and the Mexican Federal judicial system will ever be able to develop an effective narcotic enforcement program.

The Committee recommends that the United States Attorney General and the Mexican Attorney General increase and intensify the efforts they have already initiated to bring the narcotic enforcement cooperation of the DEA and the MFJP to an acceptable performance level. The U.S. Attorney General in every way possible should assist the Mexican Attorney General in the latter's efforts to develop an effective "instructional judge or magistrate system" that would provide for bringing to prosecution cases such as the Camarena murder and major narcotic conspiracies on a routine basis.

4. This Committee has long been concerned with the inability of the United States Government in cooperation with the Government of Mexico to develop any meaningful system or program that would provide for the investigation and prosecution of important and major narcotic traffickers in Mexico responsible for the traffic directed at the United States. Investigative leads sent from the United States are reportedly not effectively followed up by the MFJP, and the MFJP has never devised or implemented procedures to use evidence and witnesses developed and available in the United States to prosecute Mexican violators in Mexico. The excuse most often cited for this failure is the difference of our legal or judicial systems: Anglo-Saxon law versus the Napoleonic Code. Closer examination, however, indicates that this would not be the case because for 35 years the United States has been developing joint narcotics prosecutions with Italy, France, Spain, Belgium, The Netherlands, The Federal Republic of Germany, and Switzerland, all of which essentially have the same system of law as Mexico. The U.S.-Mexican failure to develop a similar formula of effective narcotic prosecutorial cooperation is one of implementation, not legal conflict.

To correct this, the Committee recommends that the United States and Mexico organize two small units, one in Mexico City and one in Washington, D.C. They each would be staffed by a small number of MFJP investigators and Mexican instructional judges or magistrates, plus DEA Special Agents and U.S. Department of Justice Attorneys. The unit in Mexico City would be supervised by a Mexican official and the office at Washington, obviously, by a U.S. official. Each office utilizing its binational expertise would oversee the collection and preparation of evidence and testimony for transmittal for prosecution purposes to the other country.

SPECIAL ORDER

On February 4, 1986, Members of the Select Committee and the Congressional Border Caucus presented their findings to Congress in a Special Order.

26th Mexico-United States Interparliamentary Conference, Colorado Springs Colorado (May 29–June 2, 1986)

The 26th Mexico-United States Interparliamentary Conference was held in Colorado Springs, Colorado on May 29–June 2, 1986. The U.S. delegation, which was led by Representative Kika de la Garza and Senator Phil Gramm, consisted of Representatives Yatron, Rangel, Coleman, Miller, Lagomarsino, Dreier, DeLay, Gilman, Kramer, Goodling, and Kolbe and Senators Dodd, Zorinsky, Simpson, Wilson and Bingaman.

Chairman Rangel and Ranking Minority Member Gilman presented papers before the Conference's Political Affairs Committee on the bilateral efforts to combat drug trafficking and drug abuse. They also discussed the increased production and trafficking of marijuana and heroin in Mexico and the transshipment of cocaine through that nation. The tone of the Conference was overshadowed by the Mexican Government's lack of progress in bringing to justice the traffickers who murdered our DEA agent Enrique Camarena Salazar and his Mexican colleague Alfredo Zavalar Avelar, and by the widespared corruption among high Mexican Government officials (including the Federal Judicial Police) that has resulted in severe criticism by our law enforcement officers who have become frustrated by the success of the drug traffickers in undermining Mexican drug eradication and law enforcement efforts.

With regard to the United Nations Fund for Drug Abuse Control (UNFDAC), Congressman Gilman urged the Government of Mexico to exercise its influence to encourage other Latin American nations to contribute to UNFDAC. For 1985, contributions to the fund from the entire Latin American region amounted to a meager $36,661.

Through the efforts of Chairmen de la Garza and Gramm and the Chairman and Vice Chairman of the Mexican delegation, Senator Antonio Riva Palacio Lopez and Diputado Juan Jose Bremer Martino, respectively, Chairman Rangel and Mr. Gilman were able to formulate a resolution, which was adopted by the delegations of both nations, that recommended establishing a Mexico-United States Intergovernmental Commission on Narcotics and Psychotropic Drug Abuse and Control to review problems pertaining to the illicit production, trafficking and consumption of drugs in both nations. The joint intergovernmental commission would also make recommendations to improve the effectiveness of narcotics control, cooperation and mutual assistance between Mexico and the United States. The Commission, which would meet semiannually, would be composed of members from Mexico's Senate and Chamber of Deputies and Members of the United States House of Representatives and Senate as well as representatives from the executive branches of both governments.

The complete text of the Colorado Springs resolution follows:

RESOLUTION

The twenty-sixth Mexico-United States Interparliamentary Conference, held at Colorado Springs, Colorado, May 30–June 2, 1986.

1. Whereas the production, traffic, financing, distribution, and consumption of narcotic and psychotropic drugs poses grave, increasing and potentially dangerous public health and security problems for the societies of both nations.

2. Whereas, the necessity for expanded programs of cooperation to eradicate the production of narcotic crops and to suppress the illicit manufacture and traffic of drugs is essential and indispensible to effectively eliminate supply and to combat the crime and corruption associated with drug trafficking in both countries and

3. Whereas, the need to intensify and expand the education programs for citizens of both countries, particularly our children and youth, of the dangers of experimenting with or using narcotic or psychotropic drugs is essential and indispensible to prevent and reduce the consumption and demand for drugs and

4. Whereas treatment and rehabilitation programs for victims of drug addiction and dependency are essential and indispensible in reducing consumption and demand for drugs. Now, therefore, be it

5. *Resolved*, That the 26th Mexico-United States Interparliamentary Conference recommends that to achieve the joint objective of the governments of Mexico and the United States in controlling drug trafficking and abuse, a Mexico-United States Intergovernmental Commission on Narcotic and Psychotropic Drug Abuse and Control be established that would meet semiannually and include members of the Mexican Senate and Chamber of Deputies and the United States Senate and House of Representatives and members of the Executive Departments of both governments with responsibility for drug abuse, education, prevention, treatment and enforcement of the pertinent laws; and be it further

6. *Resolved*, That this Commission at its semiannual meeting would review the status of the problem of narcotics production and trafficking in both countries as well as joint efforts to prevent drug abuse through education, treatment and rehabilitation and would make recommendations for improving the effectiveness of narcotic control, cooperation, mutual assistance and support between Mexico and the United States.

Section 2024 of the recently enacted Anti-Drug Abuse Act of 1986 (P.L. 99–570) October 27, 1986, states that in accordance with the resolution the President should direct the Secretary of State, in conjunction with the National Drug Enforcement Policy Board, to enter into negotiatons with the Government of Mexico to create the joint intergovernmental commission.

The next annual meeting of the Mexico-United States Interparliamentary Conference is expected to be held in Mexico in May of 1987.

Meetings With International Narcotics Control Officials

Introduction

Throughout 1986, the Select Committee on Narcotics Abuse and Control met with officials of the Department of State charged with international narcotics control responsibilities and with U.S. Ambassadors to narcotics producing countries. These meetings served to keep both the State Department and members of the diplomatic corps informed of the interests and activities of the Select Committee. They provided Select Committee members the opportunity to convey their concerns and the concerns of the House of Representatives regarding specific issues and problems related to international drug production and trafficking. Members were also able to ascertain the diplomatic initiatives being undertaken to support narcotics control.

Meetings also were held with foreign officials and delegations to discuss drug trafficking and drug abuse. Most of the meetings were held with representatives of drug producing nations. All were directed toward the objective of promoting the Congress' desire for more effective international narcotics control.

State Department Officials

Daniel O'Donohue, Ambassador to Burma, met with the Committee to discuss the status of the Burmese aerial poppy eradication program (March 4, 1986).

Jon Thomas, Assistant Secretary of State for International Narcotics Matters, met with Ranking Minority Member Gilman prior to departing from his position as Assistant Secretary (April 22, 1986).

Michael Skol, Deputy Chief of Mission, U.S. Embassy, Colombia, met with Mr. Rangel and Mr. Gilman to discuss recent developments in the cocaine problem in Colombia (May 6, 1986).

Ann Wrobleski, Acting Assistant Secretary of State for International Narcotics Matters, met with Chairman Rangel and Mr. Gilman, upon assuming her position as Acting Assistant Secretary (May 12, 1986).

Charles Gillespie, Ambassador to Colombia, met with Mr. Gilman to discuss recent developments in the illicit production and trafficking of cocaine from Colombia and the increasing level of violence attributable to drug traffickers, which is disrupting Colombia's economic, political, and social institutions (June 3, 1986, October 7, 1986).

Edward Morgan Rowell, Ambassador to Bolivia, met with Chairman Rangel to discuss the status of eradication efforts in Bolivia (August 14, 1986).

William Beachner, Deputy Executive Director, United Nations Fund for Drug Abuse Control, met with Mr. Gilman to brief him on recent UNFDAC Initiatives (September 25, 1986).

Agency for International Development (AID) officials, including the AID Mission Director to Bolivia, met with Mr. Gilman to discuss Bolivian drug eradication and interdiction efforts (December 8, 1986).

Foreign Officials and Delegations

Joao Clemente Baena Soares, Secretary General, and Valerie McCombie Assistant Secretary General, of the Organization of American States (OAS) met with Chairman Rangel to discuss the manufacture, trafficking, and abuse of illicit narcotics in the Western Hemisphere (January 22, 1986).

Edward Seaga, Prime Minister of Jamaica, met with Mr. Gilman concerning the narcotics control situation in Jamaica (January 26, 1986).

A delegation of Peruvian legislators met with Chairman Rangel to discuss curtailing narcotics production in Peru (January 28, 1986).

The USIA sponsored Multi-Regional Group Project on Drug Abuse Control, a group of visiting professional drug educators, treatment specialists, and law enforcement officials from around the world, met with members of the Select Committee to discuss the overall narcotics problem and counter measures in 20 nations and the United States (March 6, 1986).

Congressman Juan Carlos del Bosco Amaral, Brazil, met with Chairman Rangel and Mr. Gilman to discuss narcotics control efforts in Brazil (March 25, 1986).

Dr. Edgar Teran, Minister of Foreign Affairs, Ecuador, and Mario Ribadeneira, Ambassador of Ecuador to the United States, met with Members of the Committee to discuss Ecuador's request for bridge loans (April 10, 1986).

Fernando Illanes, Bolivian Ambassador, met with Chairman Rangel to discuss U.S. aid to Bolivia, as it relates to the illicit narcotics eradication program. (April 29, 1986).

European Parliamentary Drug Inquiry Committee Members met with Chairman Rangel and Mr. Gilman, as part of the Parliamentary Committee's study of the problem of drug trafficking and abuse in Europe and its relationship to the problem in the United States (May 6, 1986).

Representatives of the American Chambers of Commerce of Bolivia, Peru, and Ecuador met with Chairman Rangel and Mr. Gilman to discuss private sector initiatives regarding drug prevention programs in those nations (May 7, 1986).

Peruvian police officials presented a briefing for Committee Members on destruction of cocaine conversion labs in Peru (June 4, 1986).

A Mexican Congressional delegation met with Chairman Rangel concerning the establishment of a Mexico-United States Intergovernmental Commission on Narcotic and Psychotropic Drug Abuse and Control (July 25, 1986).

Dr. Hector Bertoncello, Vice President, Argentine National Commission on Prevention of Drug Abuse, met with Mr. Guarini to discuss drug-related matters of mutual concern (September 12, 1986).

A delegation from the Italian House of Delegates, Interior Committee Delegation met with Committee members concerning the problem of drug trafficking and related concerns (September 16, 1986).

A delegation of Peruvian legislators met with the Committee to discuss the curtailing of coca production (September 30, 1986).

Activities in Support of Legislative Initiatives

Introduction

The Select Committee's major activities in support of legislation during 1986 focused on the Committee's participation in the drafting of a comprehensive narcotics control bill. This initiative, which ultimately was enacted as the Anti-Drug Abuse Act of 1986 (P.L. 99-570), originated in the House of Representatives in July when the Speaker instructed House committees to draft individual measures for consolidation in an omnibus bill. The House package was assembled under the direction of the House Leadership. The Select Committee's role in the development of this bipartisan initiative is discussed in detail in the section of this report on the omnibus bill.

Throughout the year, the Select Committee also was active in supporting a variety of other legislative proposals. These activities are discussed briefly below. The substance of a number of these measures ultimately was incorporated in the omnibus drug bill.

H.R. 526, the State and Local Narcotics Control Assistance Act

On March 13, 1986, the Judiciary Subcommittee on Crime held a hearing on H.R. 526, the State and Local Narcotics Control Assistance Act. Testifying before the subcommittee in support of the bill which would authorize $750 million per year for the next five fiscal years to enhance State and local efforts in drug law enforcement and drug abuse treatment and prevention activities were Chairman Rangel, Ranking Minority Member Benjamin Gilman, Rules Committee Chairman Claude Pepper, and the Ranking Minority Member on the House Appropriations Committee Silvio O. Conte.

Also testifying in support of this measure were Bill Hutson, Sheriff of Cobb County, Georgia, on behalf of the National Sheriffs Association; Sterling Johnson, Special Narcotics Prosecutor, City of New York; Donald J. McConnell, Executive Director of the Connecticut Alcohol and Drug Abuse Commission, and Past President of the National Association of State Alcohol and Drug Abuse Directors; and David Mactas, President of Therapeutic Communities of America.

In his remarks in support of H.R. 526, Chairman Rangel stated, "At a time when Federal initiatives are having little impact on worldwide narcotic production and the constant flow of illicit drug across our borders the Federal government must recognize its responsibility to assist the State and local agencies who currently bear the burden of the inadequate Federal narcotics control program."

Mr. Gilman pointed out that if the Federal Government lacks a coordinated strategy at the national level to control the smuggling and distribution of illegal drugs into the country, "then the very least we can do is to provide State and local entities with the tools necessary to combat drug abuse and drug trafficking in their jurisdictions. Our communities are our first defense in the war on drugs."

H.R. 4155, Drug Abuse Education Act of 1986

On February 6, 1986, Chairman Rangel and Ranking Minority Member Gilman, joined by 10 Select Committee colleagues, introduced H.R. 4155, the "Drug Abuse Education Act of 1986." Sixty Members of Congress ultimately cosponsored this legislation.

The bill authorized $100 million annually for fiscal years 1987 through 1991 for a program of Federal grants to States to establish drug abuse education programs in elementary and secondary schools. The program would be administered by the Secretary of Education.

Federal funds made available under the bill could be used for a variety of purposes including development of curricula, training for school personnel, peer counseling, treatment referral services, drug abuse education for parents and others in the community, primary prevention and early intervention. The basic prerequisite for a State to participate in this program, however, was the State's agreement to establish a statewide requirement for mandatory drug abuse education curricula in each elementary and secondary school for each grade kindergarten through grade 12.

This legislation was a direct outgrowth of the Select Committee's hearings and study missions. With illegal drugs readily available on the streets of our towns and cities, and illicit narcotics production abroad steadily increasing, testimony from Federal, State and local witnesses—law enforcement officials, treatment and prevention professionals, and educators alike—repeatedly emphasized the need to combat drug abuse at home through increased drug abuse education efforts in our schools. Because young people are often exposed to drugs at an early age, many witnesses recommended that drug abuse education begin in the earliest years of a child's schooling and continue througout high school. The Committee was told that increased Federal leadership and financial support was an essential element to the success of such efforts.

On August 6, 1986, Chairman Rangel testified in support of H.R. 4155 before the House Committee on Education and Labor. That hearing was held in connection with the Education Committee's efforts to draft drug education provisions for inclusion in the omnibus anti-narcotics bill being assembled under the direction of the House leadership. In his testimony Chairman Rangel said the Education Committee was responsible for one of the most important parts of the comprehensive drug package—drug education. Continuing, he said:

> I say this not because I feel that international narcotics control and drug enforcement do not have crucial roles to play in addressing our nation's drug problem. I say this because when one considers the serious levels of drug use and trafficking in our nation, we must take immediate steps to defend our children and families against the massive onslaught of illegal drugs engulfing our communities.

The Anti-Drug Abuse Act of 1986 passed by Congress and signed into law by the President on October 27, 1986 (P.L. 99-570), includes comprehensive provisions relating to drug abuse education. It authorizes $200 million for fiscal year 1987 and $250 million for each of fiscal years 1988 and 1989 for a variety of Federal and Federally-supported drug education programs. The bulk of the funding is allocated to States to support drug education programs in elementary and secondary schools. The provision relating to elementary and secondary drug abuse education incorporate a number of the features proposed in H.R. 4155.

H.J. Res. 631, "White House Conference on Narcotics Abuse and Control" Resolution of 1986

On May 8, 1986, Congressman Peter W. Rodino, the Chairman of the House Judiciary Committee introduced in the House of Representatives, H.J. Res. 631, "White House Conference on Narcotics Abuse and Control Resolution of 1986." This resolution was cosponsored by Congressman Charles B. Rangel, the Chairman of the House Select Committee on Narcotics, Congressman Benjamin A. Gilman, the Ranking Minority Member of the Select Committee, Congressman Frank J, Guarini and Congessman William J. Hughes, both Members of the Select Committee.

H.J. Res. 631, requires the President to convene a White House Conference on Narcotics Abuse and Control within six months of its enactment into law, with a final report due to the President six months thereafter. The President will then be expected to report annually to Congress for the following three years on the status and implementation of the findings and recommendations of the conference. The White House Conference would bring together the best minds in our country to combat drug abuse and drug trafficking. Participants would include cabinet secretaries, governors, mayors of major cities, and experts in international narcotics control, drug enforcement, treatment, and prevention. Convening a White House Conference would focus national attention and leadership on the problem of drug abuse.

H.J. Res. 631 was referred to the Committee on the Judiciary. The Committee on the Judiciary, Crime Subcommittee, held a hearing and marked up the bill on July 24, 1986. The Judiciary Committee marked up the bill on July 29, 1986. The bill was reported by the Judiciary Committee on September 19, 1986.

The substance of H.J. Res. 631 was included in the Anti-Drug Abuse Act of 1986 as the White House Conference for a Drug Free America. The purposes of the Conference are to share information and experiences in order to vigorously attack drug abuse at all levels, local, State, Federal, and international; and to bring public attention to those approaches to drug abuse education and prevention which have been successful in curbing drug abuse and those methods of treatment which have enabled drug abusers to become drug free.

The Conference shall specifically review the effectiveness of law enforcement at the local, State, and Federal levels to prevent the sale and solicitation of illicit drugs and the need to provide greater coordination among such programs; the impact of drug abuse upon American education; and the extent to which Federal, State, and local programs of drug abuse education, prevention, and treatment require reorganization or reform in order to better use available resources and to ensure greater coordination among such programs. Other responsibilities of the Conference are to assess the impact of current laws on efforts to control international and domestic trafficking of illicit drugs; the extent to which American international narcotics control assistance has been, or should be, used in encouraging foreign states to comply with their international responsibilities respecting controlled substances; and the circumstances contributing to the initiation of illicit drug usage, with particular emphasis on the onset of drug use by youth.

The Members of the Select Committee are hopeful that some innovative approaches to the problems of drug trafficking and drug abuse will be devised by Conference participants, which will significantly curtail drug abuse in America. The conference should be able to reinforce the message that drug use is unlawful, dangerous to health, unacceptable to American industry, and poses a serious national security threat to our country. The last White House drug abuse conference was held in 1962, and the use of drugs has become much more widespread over the past twenty-five years. The Members of the Select Committee support the conveying of this Conference and stand ready to assist in any way to ensure that it is successful.

Testimony on Designer Drugs (May 1, 1986)

An issue of continuing concern to the Select Committee on Narcotics has been the increased use of designer drugs. Designer drugs are analogs, or "chemical cousins," of controlled substances. They are produced by chemists in clandestine laboratories. In an effort to circumvent the provisions of the Controlled Substances Act, designer drugs differ from controlled substances only in slight modifications of chemical structure.

Although use of designer drugs, also called controlled substances analogs, is on a much smaller scale that use of traditional drugs of abuse, such as heroin, cocaine, and marijuana, it is still a serious problem. On May 1, 1986, Select Committee Chairman Charles B. Rangel, testified before the House of Representatives Committee on the Judiciary, Crime Subcommittee, on the designer drug problem. The focus of the hearing was on legislation introduced on July 11, 1985, by Representative Dan Lungren to make designer drugs illegal.

As Chairman Rangel explained in his testimony before the Crime Subcommittee because designer drugs are different and distinct chemical analogs not listed under the Controlled Substances Act, they are not covered under that statute. Violations of the CSA, for the most part, are tied to precisely defined chemical substances, so individuals manufacturing these designer drug analogs do not violate the Act. Only after a specific designer drug substance is scheduled under the Controlled Substances Act can law enforcement take actions against those illegally handling such a substance. A competent chemist need only change the substance slightly to again stay ahead of the law.

There are several other problems associated with controlling the production of designer drugs. The number of analogs is virtually limitless. Legal substitutes can be made for almost every controlled synthetic drug, creating a law enforcement nightmare. Designer drugs are subject to no quality controls on potency or purity, thus exposing users to unknown dangers. While the process for making designer drugs is complicated, they are cheap to make and the profits to be realized enormous.

Provisions in the Comprehensive Crime Control Act of 1986 (P.L. 96-473) allowing the Attorney General to schedule uncontrolled substances on an emergency basis have been helpful in placing some dangerous designer drugs under strict controls. As of May 1, 1986, the emergency scheduling provisions of the CSA had been used five times to temporarily place 13 drugs into Schedule I (substances with no legal medical use). Because of the ease with which new compounds can be made, however, it became clear that even the emergency scheduling authority might not be adequate to keep pace with the designer drug problem. In the Anti-Drug Abuse Act of 1986 (P.L. 99-570), Congress addressed this issue by including provisions making designer drugs illegal. The Act provides that a controlled substance analog all or part of which is intended for human consumption shall be treated as a controlled substance in Schedule I.

To date, over 100 people have died from using designer drugs. It is hoped the general prohibition against designer drugs in the Anti-Drug Abuse Act will help law enforcement move more quickly against the developing trade in these dangerous new substances.

H.R. 1625, "Mail Order Drug Paraphernalia Control Act"

On May 8, 1986, Chairman Charles B. Rangel and Ranking Minority Member Benjamin A. Gilman testified in support of H.R. 1625, the "Mail Order Drug Paraphernalia Control Act." This legislation was introduced in the House of Representatives on March 20, 1986, by Congressman Mel Levine a member of the Select Committee on Narcotics. Mr. Rangel and Mr. Gilman served as original cosponsors of this legislation.

The bill would make it unlawful for any person to use the Postal Service as part of a scheme to sell any item which constitutes drug paraphernalia. It also makes it unlawful for any person to offer for sale or transportation in interstate commerce any item which constitutes drug paraphernalia. Anyone convicted of an offense under the bill would be imprisoned for not more than three years and fined not more than $100,000.

Drug paraphernalia includes, but is not limited to, wired rolling papers, pipes, freebase conversion kits, roach clips, bongs, water pipes, coke spoons, sealers, and strainers. The substance of H.R. 1625 was included in P.L. 99-570, the "Anti-Drug Abuse Act of 1986." The ban on drug paraphernalia contained in the new drug law extended to the import and export of drug paraphernalia.

In testimony submitted to the House Judiciary Subcommittee on Crime on the paraphernalia bill Chairman Rangel stated: "Understand that none of the cosponsors of this bill believe that, in and of itself, H.R. 1625 will wipe out the drug abuse problem. We strongly believe however that, in consideration of rising statistics of drug abuse, particularly among our youth, H.R. 1625 is a needed piece of legislation which makes a worthwhile contribution to the war against drugs."

Chairman Rangel further commented, "I am certain that over the past several months we have all heard of a 'new' drug phenomenon called 'crack'. I submit to you that it is the availability of these freebase conversion kits which is partially to blame for the widespread consumption of 'crack'.

". . . the Select Committee on Narcotics Abuse and Control remains particularly concerned that the unregulated sale of drug paraphernalia in interstate commerce glamorizes the drug culture and encourages drug experimentation by children and adolescents. Drug paraphernalia serves to counter parental guidance as well as educational and community programs to prevent drug abuse," Mr. Rangel stated.

Other Drug-Related Measures

During the year, the Chairman and Ranking Minority Member offered statements in support of a number of bills brought to the

House floor that provided funding or other authority for Federal drug abuse prevention and control activities. These measures are noted briefly below.

—H.R. 4600, Indian Health Care Amendments Act of 1986 (April 28, 1986). In his statement, Mr. Rangel strongly supported provisions in the bill aimed at improving drug and alcohol abuse education and prevention programs among Indian youth. He said the legislation was a good first step and established the foundation for a comprehensive approach to drug and alcohol abuse among Indian youth as provided in H.R. 1156, the Indian Juvenile Alcohol and Drug Abuse Prevention Act. In addition to drug and alcohol abuse education, H.R. 1156 would provide for treatment and rehabilitation, family services and crisis intervention, Mr. Rangel said. The Anti-Drug Abuse Act of 1986 (P.L. 99-570, October 27, 1986) included comprehensive provisions dealing with drug and alcohol abuse among Indians. The Act incorporated the substance of H.R. 1156.

—H.R. 4208, the Coast Guard Authorization Act of 1986 (May 6, 1986). In his statement, Mr. Gilman pointed out that the $2.2 billion authorization for Coast Guard operations, procurement and research programs represented a reduction of more than $475 million from the authorization for fiscal year 1986. Mr. Gilman stated that the no-growth budget would restrict the Coast Guard's efforts to effectively interdict narcotics trafficking. The Coast Guard is already doing more with less resources to combat the drug traffickers, he said. Given the increased responsibilities Congress has assigned to the Coast Guard over the past 20 years, Mr. Gilman stated that a way must be found to provide the Coast Guard with urgently needed additional personnel, equipment, and vessels to replace its aging fleet.

—H.R. 4515, Urgent Supplemental Appropriations Act, 1986 (May 8, 1986). The Chairman's statement supported provisions restoring funding to the Customs service and the Coast Guard, the two front-line agencies in drug interdiction. His statement said even more resources were needed but that the bill at least recognized the need to give drug interdiction a higher budgetary priority.

—H.R. 5233, Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriations Act, 1987 (July 31, 1986). The Chairman's statement supported funding levels in the bill for the National Institute on Drug Abuse (NIDA), but he urged increased support for drug abuse research, treatment, and education as crucial components of our fight against drug abuse.

—H.R. 5294, Treasury, Postal Service and General Government Appropriations Act for Fiscal Year 1987 (August 1, 1986). In supporting this measure, Mr. Gilman stated that Congress must do everything it can to assure that the Customs Service has the manpower and resources to continue to do the most effective job possible in the war against drugs. H.R. 5294 would help accomplish this goal by: restoring the 1,547 positions that were proposed for elimination in 1987; providing an additional 850 positions; and directing the Customs Service to maintain the personnel level of 14,891 during fiscal year 1987. As a result, Customs funding would be increased to $793 million, $100 million above the budget request and $76 million above the fiscal 1986 funding level. He further observed that the majority and minority leadership of the House were currently working on a legislative package designed to provide a coordinated approach to the drug problem and that support for the Customs Service would be a key component of any anti-drug legislation that was fashioned.

—H.R. 5205, Department of Transportation and Related Agencies Appropriations Act, 1987 (August 15, 1986). In their statements, Mr. Rangel and Mr. Gilman commended the Coast Guard for doing the best job it possibly could in the area of drug interdiction with the limited resources it had been given. They supported the funding levels in the bill for the Coast Guard, although, they said, H.R. 5205 provided only the bare minimum needed for the Coast Guard to carry out its multimission role. Mr. Gilman observed that despite increased seizures of illicit drugs, there had been little if any impact on the reduction in the availability of illicit drugs in the United States. He also noted that the House leadership on both sides of the aisle were developing a bipartisan omnibus drug bill that would be a comprehensive and coordinated approach to combating drug trafficking and drug abuse. Both expressed hope that the House would find a way to give the Coast Guard and other hard-pressed drug enforcement agencies additional resources in the omnibus drug bill that was being formulated in the House.

—H.R. 1156, the Indian Youth Alcohol and Substance Abuse Prevention Act of 1986 (September 16, 1986). In his statement urging support for this measure, Mr. Gilman stated that the legislation responds to the desperate need for increased Federal Government involvement in the growing problem of alcohol and substance abuse among American Indian youth. At the present time, he observed, the Indian Health Service devotes only about 1 percent of its budget to alcohol and drug abuse programs with little of that portion directed toward Indian youth, and the Bureau of Indian Affairs has little involvement in dealing with this problem. H.R. 1156 attempts to correct this situation by providing much needed direction, guidance, and coordination to Federal agencies involved to initiate comprehensive, coordinated actions to combat alcohol and substance abuse problems among Indian youth.

Mr. Gilman further stated that in this period of budget restraint, the legislation does not propose additional funding for new programs; rather it seeks to assure that existing programs are brought together in a coordinated matter to deal with the serious problem we face. Such an approach, he said, is essential in the overall war on drugs envisioned in House passage of the omnibus drug bill just last week on September 11, 1986.

—H.R. 5259, the Alcohol, Drug Abuse and Mental Health Amendments of 1986 (September 23, 1986). The Chairman's statement supported enactment of H.R. 5259 which authorized the drug abuse research programs of the National Institute on Drug Abuse. He did, however, specifically oppose a change in the formula for allocating among the States funds under the Alcohol, Drug Abuse, and Mental Health Services Block Grant. The proposed change would have required future Gramm-Rudman cuts to be applied equally to all States' allocations. Mr. Rangel opposed the change because it would have eliminated a "hold harmless" provision that Congress enacted in 1984 to avoid disrupting drug abuse services in those States that would otherwise lose funding during the transition from the old allocation formula based on historical funding patterns to a new formula based on population and per capita income. In his statement, Mr. Rangel said regardless of the formula used the basic problem was inadequate funding to meet the enormous need for drug abuse services. He said the additional funding for drug abuse treatment and prevention in H.R. 5484, the omnibus drug bill passed by the House on September 11, would help eliminate waiting lists for treatment and alleviate some of the serious strains under which State drug abuse services agencies were being forced to operate.

Drug Abuse and Drug Abuse Prevention in the District of Columbia Schools

The Subcommittee on Judiciary and Education of the House Committee on the District of Columbia held an oversight hearing on the problem of drug abuse and drug abuse prevention in the District's schools on September 23, 1986.

Chairman Rangel testified on the pervasiveness of the drug problem in the nation's schools and the overall problem of drug use by our young people. He said that our children need to be protected from drugs. Yet, the Federal budget for the Department of Education allocates only $3 million for drug abuse prevention and education.

In his statement, Mr. Rangel affirmed the need for Federal Support for drug abuse education. He told the subcommittee that the drug education provisions of H.R. 5484, the "Omnibus Drug Enforcement, Education, and Control Act of 1986" which the House passed on September 11, would better address the drug abuse education needs of the nation and more adequately fulfill Federal responsibility in this area than the current efforts of the Department of Education. As passed by the House, H.R. 5484 authorized $350 million annually for fiscal years 1987, 1988, 1989, for a variety of Federal or Federally-supported drug abuse education and prevention programs. This amount is significantly greater than the $3 million current expenditure level of the Department of Education.

Mr. Rangel commended the Subcommittee on Judiciary and Education for their study of the drug problem in the District of Columbia Schools.

MEMBER SUPPORT ACTIVITIES

During the 99th Congress, the Select Committee provided a variety of resource materials on narcotics abuse and control to Members of Congress. In addition to responding to requests for information from individual Members, a concerted effort was made to ensure that all Members of the House received information on current drug issues, for example, the "Crack" cocaine epidemic. This section of the report highlights several special Member support activities undertaken this year.

As new issues emerged or new information became available Members were informed through "Dear Colleague" letters. Among the topics address were: Crack; the incidence of AIDS among intravenous drug users; the overall cocaine problem; drug use among young people; recent statistics on drug-related deaths and emergency room admissions; and drug abuse among women. Members were also alerted to newly released studies. Many of these studies were published by the National Institute on Drug Abuse (NIDA), which issues a wide range of publications on drug abuse.

Moreover, during the deliberations on H.R. 5484, the "Omnibus Drug Enforcement, Education and Control Act of 1986". "Dear Colleague" letters were sent out almost daily. In this way, Members had available to them the most current information on drug enforcement, treatment, education, and prevention. Prior to House floor consideration of H.R. 5484, the Committee prepared a summary of the bill's provisions that was circulated to all members. After enactment of the measure into law, the Committee sent a summary of the Act's major provisions and funding to all Members.

In 1986, because of the growing concern over drug problems across the nation, many Members were confronted with requests from constituents for information on what local communities could do to prevent youths in their communities from becoming involved in drug use. In response to that demand, the Select Committee made available to Members a book entitled, "Epidemic in Retreat." The book describes how one community developed and launched an anti-drug campaign. Many Members found it a helpful tool and disseminated it to local community leaders in their districts. During the year, more than 1,000 copies of the book were distributed by Members.

The Committee also sent out a number of other articles and pamphlets. Among them were two issues of the magazine, DARE. The magazine is published by the Office of Substance Abuse Ministry, a nonsectarian program of the archdiocese of New York. It provides valuable information on drug abuse education and treatment. Additional copies of the magazine were sent to several Members who distributed them to constituents.

SPECIAL ACTIVITIES

New York City Narcotics Control Task Force

The creation of a New York City Narcotics Control Task Force to develop a comprehensive anti-narcotics strategy for the City was proposed at the Select Committee's November 26, 1986 hearing in New York City. The idea emerged from the dialogue between Chairman Rangel and Police Commissioner Benjamin Ward, Special Narcotics Prosecutor Sterling Johnson, U.S. Attorney Rudolph Giuliani, and Drug Enforcement Administration Special Agent-in-Charge Robert Stutman.

In response to that discussion, Chairman Rangel wrote to Commissioner Ward, Mr. Giuliani, and Mr. Stutman on December 8, 1985. In that letter it was suggested that a meeting be convened of all City, State and Federal agencies involved in narcotics abuse and control in New York City.

The meeting was held on February 10, 1986. At that time the Task Force was, in effect, constituted.

Members of the Task Force included:

1. Benjamin Ward, New York City Police Commissioner
2. Sterling Johnson, Special Narcotics Prosecutor
3. Rudolph Giuliani, U.S. Attorney, Southern District of New York
4. Robert M. Stutman, Special Agent-in-Charge, Drug Enforcement Administration
5. Donald F. Kelly, Regional Commissioner, U.S. Customs Service
6. Charles C. Sava, District Director, Immigration and Naturalization Service
7. Peter Medina, District Director, Internal Revenue Service
8. Lee F. Laster, Assistant Director in Charge, Federal Bureau of Investigation
9. Dale Thomas, Warden, Metropolitan Correctional Center, N.Y.
10. Raymond J. Dearie, U.S. Attorney, Eastern District of New York
11. Donald O. Chesworth, Superintendent, New York State Police
12. Julio Martinez, Director, New York State Division for Substance Abuse Services
13. Nathan Quinones, Chancellor, New York City Board of Education
14. Gordon M. Amback, Commissioner of Education State of New York,
15. Dr. Lorraine Colville, Regional Representative U.S. Department of Education

The Task Force was divided into two subgroups: a Drug Supply Reduction Task Group and a Drug Demand Task Group.

At the February meeting, the Task Force adopted a work plan to prepare a strategy to bring under control the illicit trafficking and abuse of narcotic and psychotropic substances in New York City. The participating agencies were to provide the information outlined in the work plan. That information was to be compiled into a report. The strategy was to be developed based on the report.

On March 5, a letter was sent to each participating agency asking them to provide information about the agency's narcotics abuse and control activities and their future needs. Responses were requested on or before April 11.

Subsequent to the February meeting, each participating agency, was also asked to designate a representative to the working group. A meeting of the working groups was scheduled for March 11, 1986. At the March meeting, the agency designees were also given copies of the letters to the agencies asking them for information to be used in the report.

From the law enforcement agencies responses were received from the New York City Police Department, the Office of the Special Narcotics Prosecutor, the New York State Police, the New York State Department of Correctional Services, the U.S. Customs Service, the Internal Revenue Service, the Immigration and Naturalization Service, the Federal Bureau of Investigation, the Federal Bureau of Prisons, and the Drug Enforcement Administration. Responses were not received from the U.S. Attorney's Office, Southern District of New York; the U.S. Attorney's Office, Eastern District of New York; and the New York City Department of Corrections.

In the drug education and treatment areas responses were received from the U.S. Department of Education, Region II; the New York State Education Department; the Board of Education for the City of New York; and the New York State Division of Substance Abuse Services.

A report of the findings of the survey of Task Force members and recommendations based on those findings were prepared by Select Committee staff and distributed to members of the Task Force.

The overall picture of narcotics law enforcement in New York which emerges from the survey of Task Force members is a cooperative attitude among agencies, but inadequate resources to implement a comprehensive anti-narcotics strategy that would put that spirit of cooperation into practice. Consequently, initiatives are incremental and there appears to be little strategic planning. Cooperation and coordination means one agency providing additional manpower, equipment, or money to assist another, but there is no overall integration of agency activities. Moreover, none of the agencies, that indicated a need or desire to increase their activities, is able to do so without additional resources.

The reports provided by the Federal agencies, as compared to those by the State and city agencies, offer a very different picture of what can and has to be done to address the narcotics problem in New York City. The message from the city and State agencies is clear and simple: what is needed is increased resources for the courts and correctional agencies. In contrast, the Federal agencies suggest that additional resources will be difficult to obtain as a consequence of Gramm-Rudman.

In the education area, the responses indicate a definite need to expand drug education programs. These programs must be extended into the lower grades and into the colleges, and the media must be used more extensively to reach a larger audience.

The findings support a series of recommendations. They are as follows:

Recommendations

In the area of law enforcement these include:

1. Providing additional court resources to increase the number of narcotics prosecutions. This includes more prosecutors, more judges, and additional facilities in both the Federal and State court systems.
2. Increasing available jail and detention space to house those awaiting trial, particularly for those in the city and State systems.
3. Increasing prison space to incarcerate those convicted of drug offenses in the Federal and State court.

4. Increasing resources available to the Federal courts in order that they might handle a larger number of major drug cases, thereby reducing the burden on the State courts.

5. Reviewing Federal policies regarding aliens convicted of narcotics offenses and illegal aliens arrested for narcotics violations. Changes should be made in that policy to ensure that drug trafficking by legal and illegal aliens is curtailed through rapid and effective deportation proceedings.

6. A review of Federal facilities in the New York City and State area to ascertain which could be readily converted into detention or jail facilities, prison farms or medium security prisons.

The recommendations concerning drug education are as follows:

1. Drug education must start in the earlier grades.
2. Additional resources should be provided to expand drug education funds.
3. The State must ensure that the copies of the curriculum are converted into effective programs.
4. The role of the U.S. Department of Education in drug education should be expanded, including providing the city and State with additional resources.

Chairman Rangel's Remarks to the National Governors' Association (February 24, 1986)

On February 24, 1986, Chairman Rangel addressed the Committee on Criminal Justice and Public Protection of the National Governors' Association (NGA) at the NGA's Annual Winter Meeting in Washington. This committee of the NGA is chaired by Governor Bob Graham of Florida. Joining Mr. Rangel on a panel to discuss Federal initiatives in the areas of drug interdiction, enforcement, and education were U.S. Attorney General Edwin Meese and Congressman William J. Hughes, Chairman of the House Judiciary Subcommittee on Crime.

Noting the failure of U.S. diplomatic policies to halt the foreign production of illicit drugs, and the inability of interdiction efforts to keep an appreciable amount of illicit drugs out of the country, Mr. Rangel said, "The resulting costs to our government and society are staggering. In this era of budgetary restraint, more effective drug enforcement and education programs should be top priority for the savings and enormous benefit they provide to the health and well being of the country."

Chairman Rangel called on the Governors to endorse both H.R. 526, the State and Local Narcotics Control Assistance Act, and H.R. 4155, the Drug Education Act, bills which would provide Federal assistance to State and local drug enforcement, treatment, and education programs. Mr. Rangel concluded by telling the Governors, "We must attack the problem of drug abuse on both the supply and demand sides, neither law enforcement or education alone are enough. An effective national drug abuse policy needs to contain both elements to demonstrate a serious commitment to reducing the availability of the narcotic drugs affecting every part of this country."

Meeting with Representatives of the National Sheriffs Association (February 25, 1986)

On February 25, 1986, members of the Select Committee met with representatives of the Law and Legislative Committee and the Drug Enforcement and Prevention Committee of the National Sheriffs Association (NSA). This meeting was attending by Chairman Rangel, Mr. Gilman, Mr. Hunter, and Mr. DioGuardi. Congressman George (Buddy) Darden of Georgia also joined the members of the Select Committee at this meeting.

The NSA representatives at ths session were: John Duffy, Sheriff, San Diego County, California; Bill Hutson, Sheriff, Marietta, Georgia; Richard Petty, Sheriff, Mansfield, Ohio; Terry Campbell, Sheriff, Levenworth County, Kansas; H. Weldin Neff, Sheriff, Tiffin, Ohio; James Metts, Sheriff, Lexington County, South Carolina; and Vince Swinney, Sheriff, Washoe County (Reno), Nevada.

The sheriffs voiced to the committee the need for a stronger voice by local law enforcement in the formulation of national drug enforcement policies. They were particularly critical of the absence of a direct Federal enforcement presence on the local level. They also highlighted the critical need for assistance from the Federal Government to enhance the drug enforcement efforts in their jurisdictions, as well as the equitable sharing of seized assets.

The Committee members asked the NSA representatives to go back to their membership and urge an endorsement of H.R. 526, the State and Local Narcotics Control Assistance Act. The next day at a general meeting of the NSA, the membership endorsed this bill which will give direct Federal assistance to local drug law enforcement efforts.

United States Conference of Mayors Activities

In 1986, the Select Committee forged a strong working relationship with the U.S. Conference of Mayors in joint efforts to achieve more effective drug enforcement and drug abuse treatment, prevention and education programs.

Chairman Rangel's Address to the Conference of Mayors (June 17, 1986)

On June 17, 1986, Chairman Rangel was invited to address the 54th Annual Conference of Mayors in San Juan, Puerto Rico, on the subject of drug trafficking and drug abuse. In his remarks to the Nation's mayors, Mr. Rangel urged them to become an "effective force" in creating a sense of national urgency over the drug problem and to bring pressure to bear on the Administration to develop comprehensive drug abuse programs.

The Chairman called upon the mayors to endorse the legislative proposals that have been put forth by the Select Committee, particularly H.R. 526, the State and Local Narcotics Control Assistance Act. The mayors passed a resolution calling for the passage of H.R. 526 by the 99th Congress at the conclusion of their conference.

Thereafter Mayor Joseph P. Rielly, Jr., of Charleston, South Carolina, President of the Conference of Mayors, appointed a special task force on drug abuse issues headed by Mayors Edward I.

Koch of New York and Richard Berkley of Kansas City, Kansas. Other mayors who were members of this task force included Marion Barry of Washington, D.C., Raymond L. Flynn of Boston, Charles J. Luken of Cincinnati, Maureen O'Connor of San Diego, Wilson Goode of Philadelphia, and Kathy Whitmire of Houston.

Municipalities Emergency Narcotics Discussion—New York (August 25-26, 1986)

At the Select Committee's hearing on the trafficking and abuse of crack in New York on July 18, 1986, Mayor Edward I. Koch suggested that he and Chairman Rangel convene an emergency meeting of the U.S. Conference of Mayors and the National League of Cities to develop a bipartisan strategy for combating the drug scourge that would be presented to the President and the Congress.

The dates of August 25-26, 1986, were selected for this special session in New York. Thereafter, the House leadership announced its intention to proceed with an omnibus legislative strategy. The focus of the emergency meeting in New York then became one of support of the pending congressional initiative and recommendations of the participants for inclusion in the omnibus bill.

Over 30 municipalities were represented at the meeting which drew several hundred participants. The conference was addressed by Governor Cuomo of New York, Mayor Koch, Chairman Rangel, and Mr. Gilman. The luncheon speaker at the conference was House Majority Leader Jim Wright.

At the conclusion of the conference, a series of resolutions were passed calling for an enhanced role by the military in drug enforcement, increased Federal assistance to local government for drug enforcement and treatment and prevention activities, an expansion of Federal judicial and prison facilities for drug offenders, stiffer sanctions against drug producing countries that do not make every effort to eradicate narcotics within their borders, a ban on drug paraphernalia, and mandatory public service announcements against drug abuse.

Mayors' Meeting with the House Leadership (September 9, 1986)

On September 9, 1986, the Conference of Mayors Task Force on Drug Abuse met with Chairman Rangel, House Majority Leader Jim Wright, and other members of the bipartisan leadership who were involved with the omnibus drug legislation to urge their support for the proposal. The bill was scheduled for floor action the next day, and the Mayors wanted to make a strong show of support for H.R. 5484 and for the particular items they endorsed at the August emergency meeting in New York.

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Address to The Advertising Council (June 18)

On Wednesday, June 18, 1986, Chairman Rangel addressed The Advertising Council's annual Salute to Volunteers Luncheon in New York City. The Advertising Council is the non-profit organization through which American Business, advertising and the communications industries contribute their skills and resources to promote voluntary citizen actions in solving national problems. In recent years, The Advertising Council has created drug abuse prevention campaigns on behalf of the National Institute on Drug Abuse emphasizing two major themes—"Just Say No," and "Cocaine—The Big Lie."

In his remarks, Chairman Rangel outlined the magnitude of the drug problem at home and abroad, the effects of drug abuse and drug trafficking on our society, and the continuing serious threat that drug abuse poses to our national security and the health and well-being of our citizens. He said that in light of the Federal Government's inability to reduce the widespread availability of drugs, at least for the foreseeable future, efforts to prevent drug abuse through public education must be a central component of the nation's fight against drugs. The private sector, he said, could play an instrumental role in these efforts. He urged the Advertising Council, as representative of business and the advertising and communications industries, to provide strong leadership in establishing a massive, ongoing media campaign to prevent drug abuse in America.

During its annual Washington Conference earlier in the year, The Advertising Council presented its Silver Bell Award to Mr. Rangel for his contributions in the area of drug abuse prevention.

Chairman's Address to the National Association of Manufacturers (June 20)

On June 20, 1986, Chairman Charles B. Rangel delivered a speech in New York City to a meeting of the National Association of Manufacturers on the topic, "The Problems of Drug Abuse in the Workplace: Is Mandatory Drug Testing An Answer?" Chairman Rangel stated that Dr. Charles R. Schuster, Director, National Institute on Drug Abuse, recently testified before the Select Committee that "progressive companies have began to adopt the position that society has a drug problem." Chairman Rangel stated some companies have already responded by instituting employee assistance and drug testing programs. In fact, about one-fourth of the Fortune 500 companies already are doing some type of urine testing for drugs, and many more are considering it.

Mr. Rangel said employee drug abuse is a matter of justifiable concern to American industry. Employee assistance programs and employee drug testing can be two aspects of an employer's comprehensive drug abuse prevention program. He said America's international narcotics control programs and drug interdiction and enforcement efforts are essential and must be continued. He also stressed the need for effective programs of drug education as essential to achieving significant reductions in the levels of drug use in America.

National Organization of Black Law Enforcement Executives Conference (June 28, 1986)

Chairman Rangel attended the 10th anniversary conference of the National Organization of Black Law Enforcement Executives (NOBLE) on Saturday, June 28, 1986, in Washington D.C.

NOBLE is an organization of police chiefs, command level law enforcement officials, and criminal justice educators that banded together in 1976 to develop and maintain open channels of communication between law enforcement agencies and the community in order to bring about a coordinated community effort to prevent and abate crime and its causes.

Mr. Rangel delivered the keynote address to chiefs of police from across the nation at the "Chiefs Symposium". In his address, Mr. Rangel emphasized the importance of leaders of the Executive Branch of the Federal Government and the American people sharing the sense of urgency over America's drug problem that is necessary to solve it. He made mention of the fact that law enforcement officials share the sentiment that law enforcement has failed miserably in its effort to stem the flow of drugs into this country. Because of the ineffectiveness of Federal enforcement in drug control, local law enforcement is being overwhelmed with drug related criminal cases, and drug abuse treatment agencies are unable to meet the growing needs of drug dependent persons. Mr. Rangel highlighted the fact that the uncontrolled production and smuggling of illicit drugs worldwide has far outpaced law enforcement efforts to halt them, and as a result we can expect record amounts of narcotic drugs to enter the United States. He asked that NOBLE lend its support to two pieces of legislation that he has introduced: H.R. 526, the "State and local Narcotics Control Assistance Act of 1985", which provides $750 million annually for five years to help State and local jurisdictions in their efforts to control drug abuse and drug trafficking; and H.R. 4155, the "Drug Abuse Education Act of 1986", which directs the Secretary of Education to establish a program of Federal grants to the States for drug abuse education in elementary and secondary schools, and provides $100 million a year for five years for this purpose.

A.M.E.N. Training Mission in Washington, D.C. (July 14–18)

The Select Committee on Narcotics facilitated the training of five teen-age youths involved in an intensive, four-week drug abuse prevention peer training program organized by Americans Mobilized to End Narcotic Abuse (A.M.E.N.) by arranging meetings with various federal agencies involved in the prevention of narcotics trafficking and abuse. Led by Father Daniel O'Hare, A.M.E.N. is a regional anti-drug abuse education organization situated in upstate New York. It seeks to train freshmen and sophomores in high school about all aspects of drug abuse and drug trafficking. Upon completion of the program, these youngsters, in turn, work with teenagers in their own communities. The program focuses one week each on the Federal, state and local efforts to combat illicit substances, with the final week of training focusing on communications skills.

The Select Committee was requested to assist with the Federal portion of the training program. During the week of July 14-18, 1986, the Select Committee arranged for the group to meet and be briefed on specific aspects of the problem by representatives of the Drug Enforcement Administration, the National Institute on Drug Abuse, the White House Office of Drug Abuse Policy, the Vice President's Office (to discuss the Vice President's South Florida Task Force and the National Narcotics Border Interdiction System), the Bureau of International Narcotics Matters at the State Department and the Federal Bureau of Investigation.

A site visit was made to Dulles Airport, in Chantilly, Virginia, where the group was briefed by members of the Immigration and Naturalization Service and the U.S. Customs Service. A detector dog demonstration took place, and later the group was able to observe inspectors at work as international flights arrived. Later that week, A.M.E.N.'s members visited the U.S. Coast Guard facility in Annapolis, Maryland, where they observed Coast Guard practices aboard a 41-foot utility boat. The group also had the opportunity on July 15, 1986, to observe the Select Committee's joint hearing with the Select Committee on Children, Youth, and Families on "crack" cocaine and its effects on youth, and were able to discuss their impressions of the week with several Members of Congress.

Address to the International Narcotic Enforcement Officers Association, 27th Annual International Drug Conference (August 27)

Ranking Minority Member Gilman addressed the 27th Annual International Drug Conference of the International Narcotic Enforcement Officers Assocation on August 27, 1986. In his remarks, Congressman Gilman outlined the scope of the proposed "Anti-Drug Abuse Act of 1986", which had only a few days earlier been the subject of intense consideration by House committees.

Congessman Gilman explained the major sections of the legislation, with particular emphasis on the law enforcement provisions, and urged members of the association to support the omnibus bill, as it was anticipated that full action by the House of Representatives would take place shortly.

Meeting With Religious Leaders of New York (September 21, 1986)

On Sunday, September 21, 1986, Mayor Edward I. Koch and Select Committee Chairman Charles B. Rangel hosted a briefing on narcotics issues for about 300 members of the clergy in New York City. The purpose of the briefing was to alert the City's religious leaders to the omnibus drug legislation passed by the House of Representatives on September 11, and to urge them to encourage their congregations to support swift Senate action by writing letters to the Senate Leadership.

In his remarks, Chairman Rangel called upon the clergy to provide strong moral leadership in fighting drug abuse and urged them to support enactment of a comprehensive, national program against drugs.

New York State 16th Annual Statewide Health Education Conference (November 7, 1986)

Chairman Rangel and Ranking Minority Member Gilman attended the 16th Annual Conference of the New York State Federation of Professional Health Educators on Friday, November 7, 1986, in Queens, New York.

Mr. Rangel delivered the keynote address to the meeting of professional health educators from across the State. In his address Mr. Rangel emphasized the importance of comprehensive drug abuse education in the schools, grades kindergarten through grade 12. He told the educators that the $200 million provided for drug education in the "Anti-Drug Abuse Act of 1986" (P.L. 99-570) should go a long way toward ensuring that all students receive quality drug abuse education. He underscored the importance of the role of health educators in providing quality drug abuse education and challenged the educators to do what they could to address this serious national problem.

In his address, Mr. Gilman outlined the scope of P.L. 99-570, and, while giving attention to all parts of the Act, focused specifically on the treatment, rehabilitation, and preventive education portions of the new law. Noting that it is truly through these approaches to the drug abuse problem that we can succeed in winning our "war on drugs", Mr. Gilman reiterated the need for parents and school-related professionals to acknowledge that a problem does indeed exist in their own community.

New York Drug Paraphernalia/Medicaid Fraud Task Force

Widespread drug-related medicaid fraud and the open sales of drug paraphernalia in his congressional district, led Chairman Rangel to call together a task force of New York City and State civil and criminal enforcement agencies with jurisdiction over these violations. Mr. Rangel's aim was to have an investigative component to the task force that would prepare cases for prosecution. The easy availability of drug paraphernalia and flagrant medicaid fraud was directly affecting the quality of life in the 16th Congressional District of New York.

Mr. Rangel called the task force together on July 10, 1986. It included representatives of the following agencies:

The Office of the Mayor
New York County District Attorney
Drug Enforcement Administration
State Department of Social Services
State Department of Education
State Health Department
New York City Police Department
New York City Health Department
State Attorney General
State Board of Pharmacy
State Liquor Authority
State Medicaid Fraud Prosecutor
Department of Health and Human Services
Special Narcotics Prosecutor—City of New York

The District Attorney's office was asked to serve as the coordinator of the task force. In the fall of 1986, the task force began making cases and moving against paraphernalia outlets and medicaid fraud mills in New York's 16th Congressional District.

Congressional Advisory Committee on Drug Trafficking and Substance Abuse

The Congressional Advisory Committee on Drug Trafficking and Substance Abuse, which consists of parents, teachers, health professionals, guidance counselors, clergy, law enforcement officers, treatment and rehabilitation specialists, school administrators, and business and labor leaders in New York's 22nd Congressional District, was created in the summer of 1981 to help raise the consciousness of the public regarding the dangers of drug abuse. The Drug Advisory Committee sponsors seminars and workshops, provides information to community leaders, acts as a forum for community groups to meet to exchange information, and helps community leaders act upon their local drug problems. The Advisory Committee maintains a liaison with the New York State Division of Substance Abuse Services, Federal drug agencies, the House Narcotics Select Committee, and local drug-related community groups.

Assisted by the Narcotics Select Committee, the Drug Advisory Committee met at the Spring Valley High School in Spring Valley, New York on May 10, 1986. The program focused on Federal efforts to interdict narcotics trafficking. Mr. Gilman discussed the global dimensions of drug trafficking and drug abuse, along with current legislative proposals designed to help prevent and control this deadly menace that is jeopardizing the health of our citizens and undermining our social institutions. Robert Stutman, Special Agent in Charge of the Drug Enforcement Administration's (DEA) New York Field Division, which is DEA's largest field operation, discussed the problems of combatting narcotics trafficking and drug abuse and DEA's efforts to interdict marijuana, heroin, cocaine, and the increasingly popular cocaine derivative "Crack." A three-part NBC special entitled "Miami Crime" was shown to the Drug Advisory Committee which was followed by a question and answer session. Elliott Brown, Minority Staff Director of the Narcotics Select Committee, discussed the Select Committee's recent hearing on Drug Testing in the Workplace, including the competing policy issues between the individual's right to privacy versus the employer's right to maintain a drug-free environment.

The next meeting of the Drug Advisory Committee is tentatively scheduled for the spring of 1987.

APPENDIX

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

PUBLICATIONS, 99TH CONGRESS

Drug Abuse and Trafficking in Chicago (SCNAC-99-1-1) (Hearings).
Cocaine Abuse and the Federal Response (SCNAC-99-1-2) (Hearings).
Drug Abuse and Drug Trafficking in the Northeast Region (Boston) (SCNAC-99-1-3) (Hearings).
International Narcotics Control (SCNAC-99-1-4) (Hearings).
The Effect of Drug Abuse on the Black Community: Drugs and Dropouts (SCNAC-99-1-5) (Hearings).
Heroin an Cocaine Trafficking and the Relationship Between Intravenous Drug Use and AIDS (New York) (SCNAC-99-1-6) (Hearings).
Drug Abuse and Drug Trafficking in New England (SCNAC-99-1-7) (Report).
Annual Report for the Year 1985 (SCNAC-99-1-8) (H. Rept. 99-1024) (Report).
Latin American Study Mission Concerning International Narcotics Problems (SCNAC-99-2-1) (Report).
Drugs and Dropouts (SCNAC-99-2-2) (Report).
Southwest Border Hearings—El Paso, Texas—Tucson, Arizona—San Diego, California and Mexico Trip Report—Nogales—Mexico City—Culiacan (SCNAC-99-2-3) (Report).
El Paso—Hearing on Drug Trafficking and Abuse Along the Southwest Border (SCNAC-99-2-4) (Hearings).
Tucson—Hearing on Drug Trafficking and Abuse Along the Southwest Border (SCNAC-99-2-5) (Hearings).
San Diego—Hearing on Drug Trafficking and Abuse Along the Southwest Border (SCNAC-99-2-6) (Hearings).
Narcotics Control Conference (New York) (SCNAC-99-2-7) (Hearings).
The Impact of Gramm-Rudman on Federal Drug Programs (SCNAC-99-2-8) (Hearings).
Issues Relating to Drug Trafficking in the New Jersey Area (SCNAC-99-2-9) (Hearings).
Drugs in the Workplace (SCNAC-99-2-10) (Hearings).
Narcotics Interdiction and Enforcement Efforts in South Florida (SCNAC-99-2-11) (Hearings).
Drug Abuse Education (SCNAC-99-2-12) (Hearings).
Drug Abuse Education II (SCNAC-99-2-13) (Hearings).
Hearing on Panama (SCNAC-99-2-14) (Hearings).
The Crack Cocaine Crisis (SCNAC-99-2-15) (Hearings).

The Trafficking and Abuse of "Crack" in New York City (SCNAC-99-2-16) (Hearings).
U.S. Narcotics Control Efforts in Mexico and on the Southwest Border (SCNAC-99-2-17) (Hearings).
The Federal War on Drugs: Past, Present and Future (SCNAC-99-2-18) (Hearings).
Narcotics Trafficking and Abuse in the Los Angeles Area (SCNAC-99-2-19) (Hearings).
Annual Report for the Year 1986 (SCNAC-99-2-20).

HEARINGS, 99TH CONGRESS

1. Drug Abuse and Drug Trafficking in Chicago—May 31-June 1, 1985
2. Cocaine Abuse and the Federal Response—July 16, 1985
3. International Narcotics Control—September 12, 1985
4. Drug Abuse and Drug Trafficking in the Northeast Region (Boston)—September 20-21, 1985
5. The Effect of Drug Abuse on the Black Community: Drugs and Dropouts—September 27, 1985
6. Heroin and Cocaine Trafficking and the Relationship between Intravenous Drug Use and AIDS (New York)—November 26, 1985
7. El Paso—Hearing on Drug Trafficking and Drug Abuse Along the Southwest Border—January 13, 1986
8. Tucson—Hearing on Drug Trafficking and Drug Abuse Along the Southwest Border—January 14, 1986
9. San Diego—Hearing on Drug Trafficking and Drug Abuse Along the Southwest Border—January 16, 1986
10. Narcotics Control Conference—February 10, 1986
11. The Impact of Gramm-Rudman on Federal Drug Programs—March 18, 1986
12. Issues Relating to Drug Trafficking in the New Jersey Area—April 11, 1986
13. Drugs in the Workplace—May 7, 1986
14. Narcotics Interdiction and Enforcement Efforts in South Florida—May 16, 1986
15. Drug Abuse Education—May 20, 1986
16. Drug Abuse Education II—May 21, 1986
17. Hearing on Panama—June 19, 1986
18. The Crack Cocaine Crisis—July 15, 1986
19. The Trafficking and Abuse of "Crack" in New York City—July 18, 1986
20. U.S. Narcotics Control Efforts in Mexico and on the Southwest Border—July 22, 1986
21. The Federal War on Drugs: Past, Present and Future—October 3, 1986
22. Narcotics Trafficking and Abuse in the Los Angeles Area—October 31, 1986

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